

TAA Tracker

Updated 5/14/2010



STATUS CHANGES

SB 2983/HB 2827* Entering property for the purpose of removing litter. Senate 05/13/2010 concurred in House amendments 2 and 7. House 05/13/2010 passed with amendments 2 and 7. Sent to the speakers for signatures 05/13/2010.

SB 3430/HB 3956* Destruction of facilities after change in zoning. Senate 05/10/2010 concurred in House amendment 1. Sent to the speakers for signatures 05/10/2010.

SB 3090/HB 3058* Eminent domain- fair market value as highest and best use. Set for House Finance Budget Subcommittee 05/12/2010.

SB 3019/HB 3156* Inspection of pool installation- pool alarm required. Signed by Governor 4/30/2010.

SB 2978*/HB 3934 Food Sales & Franchise Tax Cut and Job Creation Act of 2010. Taken off notice in Senate Finance Tax Subcommittee 04/28/2010. Taken off notice in House Government Operations 04/28/2010.

SB 2814/HB 2894* Payment of garbage collection and disposal service fees. House Budget Subcommittee deferred to the last calendar.

SB 3380/HB 3577* Definitions concerning domestic abuse and victims. Senate Judiciary 04/21/2010 recommended with amendment 1, which corrects an error in the existing code.

SB 0902/HB 0323* Victims of domestic abuse - termination of rental agreement. Senate Judiciary deferred to 04/21/2010. Set for Senate Judiciary 04/21/2010.

SB 3754/HB 3905* Duty of care not owed to trespasser. Senate passed 4/19/2010.

SB 3158/HB 3652* Davidson county-litigation tax. Set for Senate Finance Ways & Means Committee 4/20/2010.

SB 2054*/HB 2182 TN Modernization and Economic Stimulus Act. Set for Senate Finance tax Subcommittee 4/20/2010.

SB 0247/HB 0128* Seller of real property to provide buyer with energy audit. Taken off notice in House Commerce Industrial Impact Subcommittee 4/14/2010.

SB 3404/HB 3501* Preparation of business impact notes. House Finance Budget Subcommittee deferred to last calendar.

SB 3726/HB 3954* Postponing of trial for forcible detainer cases. Sent to governor 4/13/2010.

SB 3725/HB 3955* Serving summons for forcible entry; changes in time. Sent to governor 4/13/2010.

SB 3058/HB 3078* Administrative garnishment fee. Taken off notice in House Judiciary 4/13/2010.

SB 3019/HB 3156* Inspection of pool installation- pool alarm required. Set for House Health & Human Resources Committee 4/13/2010.

SB 2958/HB 2899* Residential rental inspection program. Taken off notice in Senate State and Local Government 4/7/2010.

SB 3723/HB 2888* Davidson county- security deposits for water service fees. House Civil practice Subcommittee deferred to summer study.

SB 0249/HB 0126* Rental agreement to include energy audit. House Civil Practice Subcommittee deferred to summer study.

SB 0250/HB 0130* Residential property for rent- energy audit required. House Civil Practice Subcommittee deferred to summer study.

SB 3446/HB 2437* Notice given to defendant for writ of possession. House Civil Practice Subcommittee deferred to summer study.

SB 3717/HB 3382* Abatement of nuisances. Taken off notice in House Civil Practice Subcommittee 3/24/2010.

SB 3473/HB 3956* Prohibits renting residence to a sexual offender. Taken off notice in House Criminal Practice Subcommittee 3/24/2010.

SB 1545/HB 2100* Requesting an individual's social security number deceptive. Set for Senate Commerce, Labor & Agriculture Committee 3/23/2010.

SB 3084*/HB 3186 Photo electric smoke detectors: property requirements. Set for Senate Commerce, Labor & Agriculture Committee 03/23/2010.

SB 3279/HB 3324* Prohibits new electric service without smoke detector. Set for Senate Commerce, Labor & Agriculture Committee 03/23/2010.

SB 1351/HB 0057* Requires energy audit for commercial buildings. Set for House Utilities & Banking Subcommittee deferred to 3/23/2010.

SB 3058/HB 3078* Administrative garnishment fee. Set for House Judiciary Committee 3/23/2010.

SB 3653/HB 3699* Mandatory use of e-verify system in hiring. Taken off notice in Senate Commerce, Labor & Agriculture Committee 3/16/2010.

SB 3862/HB 3817* Violations of Fair Debt Collection Practices Act. Taken off notice in House Consumer Affairs Subcommittee 3/16/2010.

Bills Currently Tracking

SB 0247 Marrero

HB 0128* Hardaway

PROPERTY & HOUSING: Seller of real property to provide buyer with energy audit. Requires seller of real property to provide an energy audit estimating the energy usage required at the property to the potential buyer prior to the sale. Also requires such audit to be included in the deed of conveyance.

TCA Secs. 66-05-0000; 66-05-0100

Senate Status: Senate Commerce, Labor & Agriculture deferred to 04/07/2009.

House Status: House Commerce Industrial Impact Subcommittee deferred to 1st calendar of 2010.

SB 0249 Marrero

HB 0126* Hardaway

PROPERTY & HOUSING: Rental agreement to include energy audit. Requires rental agreement under Uniform Residential Landlord and Tenant Act to include, as an addendum, energy audit of estimated energy usage at dwelling unit.

TCA Secs. 66-28-0000; 66-28-0201

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Taken off notice in House Civil Practice Subcommittee
02/03/2010.

SB 0250 Marrero

HB 0130* Hardaway

PROPERTY & HOUSING: Residential property for rent - energy audit required. Requires landlord of residential property to provide an energy audit to tenants before entering into a rental agreement. Specifies that failure of landlord to provide energy audit will bind both parties in a month-to-month tenancy.

TCA Sec. 66-28-0300

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Taken off notice in House Civil Practice Subcommittee
02/03/2010.

SB 0789* Overbey

HB 2040 McCord

PROPERTY & HOUSING: Rented premises unfit for habitation. Removes the July 1, 2009, repeal of the codified provisions of 2008 Public Chapter 1027 for certain provisions dealing with rented premises unfit for habitation.

TCA Secs. 68-111-0000; 68-111-0109

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Public Health and Family Assistance Subcommittee.

SB 0888 Ketron

HB 0846* Mumpower

ENVIRONMENT & NATURE: Requirements for public swimming pools. Requires public swimming pools to have certain devices or systems designed to avoid entrapment by suction of users of such swimming pools.

TCA Secs. 68-14-0000; 68-14-0400

Senate Status: Taken off notice in Senate Environment, Conservation & Tourism
03/03/2009.

House Status: Referred to House Public Health and Family Assistance Subcommittee.

SB 0902 Burks

HB 0323* Jones S.

PROPERTY & HOUSING: Victims of domestic abuse - termination of rental agreement. Allows a tenant who is the victim of domestic abuse, sexual assault,

or stalking to terminate lease agreement for person's primary residence upon submitting certain evidence to the landlord in writing and vacating the premises. - Amends TCA Title 66, Chapter 7, Part 1.

TCA Sec. 66-07-0100

Senate Status: Taken off notice in Senate Judiciary 05/13/2009.

House Status: Taken off notice in House Criminal Practice Subcommittee 04/22/2009.

SB 1233 Bunch

HB 0914* Hill

COMMERCIAL LAW: Worthless checks - charges for notification. Allows payee of a worthless check to charge a \$5.00 handling fee for giving notice by certified mail to the maker of the bad check.

TCA Secs. 39-14-0121; 47-29-0100

Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 04/21/2009.

House Status: Taken off notice in House Civil Practice Subcommittee 04/14/2009.

SB 1340* Tate

HB 1632 Richardson

TRANSPORTATION VEHICLES: Owner's agent - approval for towing vehicle from property. Specifies that the owner of private property cannot designate garage keeper or towing firm, or an employee of either, as owner's agent to approve towing of a vehicle from private property.

TCA Secs. 55-00-0000; 55-16-0112

Senate Status: Senate passed 05/04/2009.

House Status: Held on House clerk's desk.

SB 1351 Tate

HB 0057* Hardaway

PROPERTY & HOUSING: Requires energy audit for commercial buildings. Requires each owner of an existing commercial building to have a comprehensive energy audit conducted. Specifies that audit must identify building's energy consumption and conservation procedures, and indicate if there is need for energy conservation measures. Requires that each owner must display notice containing energy audit results by January 1, 2010.

TCA Secs. 13-00-0000; 13-19-0000

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: House Commerce Utilities & Banking Subcommittee deferred to first calendar of 2010.

SB 1475 Henry

HB 0737* Odom

PROPERTY & HOUSING: Davidson County - notification of tenant disorderly conduct. Requires law enforcement officers in Davidson County to notify the landlord in certain circumstances if such officers are dispatched to investigate complaints of disorderly conduct or to serve warrants for the arrest of tenants of residential rental property.

TCA Secs. 05-00-0000; 06-00-0000; 06-54-0500; 06-54-0511; 07-00-0000; 38-00-0000; 66-00-0000

Senate Status: Referred to Senate Judiciary.

House Status: Caption bill held on House clerk's desk.

SB 1544* Burchett

HB 2086 Towns

COMMERCIAL LAW: Private parking services using devices to immobilize auto. Adds the practice of engaging in business of private parking service and using a device to immobilize a motor vehicle for unauthorized parking without posting conspicuous signage as a violation of the Consumer Protection Act.

TCA Secs. 47-18-0100; 47-18-0104

Senate Status: Senate passed 03/16/2009.

House Status: Referred to House Consumer Affairs Subcommittee.

SB 1545* Burchett

HB 2100 Towns

COMMERCIAL LAW: Requesting an individual's social security number deceptive. Makes it an unfair or deceptive act for an entity to request a person's social security number. Permits the request to be made in certain circumstances if the state or federal government requires it or if the number is to be used for employment verification.

TCA Secs. 47-18-0000; 47-18-0104

Senate Status: Senate Commerce, Labor & Agriculture deferred to 03/23/2010.

House Status: House Consumer & Employee Affairs deferred to 2010.

SB 1576 Crowe

HB 1394* Johnson P.

PROPERTY & HOUSING: Notice to terminate tenancy - foreclosure. Requires any person or entity that acquires a residential property to provide 30 days' written notice prior to terminating the tenancy of a residential tenant who occupies the residential property at the time of the state. Establishes that this section applies to all residential rental property including, without limitation, residential rental properties located in any county governed by the Uniform Residential Landlord and Tenant Act.

TCA Secs. 66-07-0000; 66-07-0100

Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 05/05/2009.

House Status: House Judiciary Committee deferred to summer study.

SB 1691* Marrero

HB 2084 Towns

TRANSPORTATION GENERAL: Private parking services - device for immobilization. Adds to the list of unfair or deceptive acts considered to be unlawful under the Consumer Protection Act of 1977 the offense of engaging in the business of operating private parking services and committing the following: using any device to immobilize a motor vehicle for unauthorized parking on property; charging a fee to remove such immobilizing device; or refusing to allow the owner to pay such fee by such cash, credit card or personal check.

TCA Secs. 47-18-0100; 47-18-0104

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Consumer Affairs Subcommittee.

SB 2008 Harper

HB 1812* Pruitt

PROPERTY & HOUSING: Leases for residential rental property in Davidson County. Requires any lease entered into for residential rental property in Davidson County to contain a provision requiring the tenant to pay to the county clerk the amount of the rent due under the lease if the owner of the property fails to pay such costs within 30 days of such a hearing. Specifies that the clerk must notify the tenant in any month that the rent is to be paid to the clerk to be used to cover the costs assessed against the owner of the property. Clarifies that the rent will be paid into the court until the assessed costs have been fully satisfied.

TCA Secs. 05-00-0000; 07-00-0000; 39-14-0500; 05-01-0115

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Taken off notice in House Civil Practice Subcommittee 04/22/2009.

SB 2054* Tate

HB 2182 Turner J.

TAXES GENERAL: TN Modernization and Economic Stimulus Act. Enacts the "Tennessee Modernization and Economic Stimulus Act." Enacts state income tax. Exempts food and food ingredients from sales tax. Lowers state sales tax rate to 6.75 percent. Eliminates local option sales tax, with formula to hold local governments harmless. Repeals Hall income tax. Broadly captioned.

TCA Secs. 03-00-0000; 04-00-0000; 05-00-0000; 06-00-0000; 07-00-0000; 08-00-0000; 09-00-0000; 12-00-0000; 16-00-0000; 30-00-0000; 36-00-0000; 39-00-0000; 40-00-0000; 45-00-0000; 47-00-0000; 48-00-0000; 55-00-0000; 56-00-0000; 57-00-0000; 61-00-0000; 62-00-0000; 67-00-0000; 67-02-0000; 67-02-0100; 67-02-0102; 67-06-0103; 67-06-0202; 67-06-0203; 67-06-0204; 67-06-0205; 67-06-0221; 67-06-0228; 67-06-0700; 68-00-0000; 69-00-0000; 70-00-0000; 71-00-0000

Senate Status: Senate Finance Tax Subcommittee deferred to 04/15/2009.

House Status: Referred to House Finance Budget Subcommittee.

SB 2283 Kyle

HB 2328* Turner M.

CONSTRUCTION: Energy efficiency - building construction standards. Requires the state fire marshal to include provisions relative to energy efficiency in statewide building construction safety standards. Deletes exemption from such standards for one-family and two-family dwellings (Part of Administration Package).

TCA Secs. 68-102-0000; 68-120-0000; 68-120-0101

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Commerce Industrial Impact Subcommittee.

SB 2311 Kyle

HB 2323* Turner M.

PROPERTY & HOUSING: Penalty for failure to enter acceptance of partial payment. Requires mailing address of property owner be included on deed of conveyance of real property that is received for recording by any register of deeds. Increases penalty for failure to enter acceptance of partial payments in a timely manner. Makes other changes concerning recorded instruments. (Part of Administration Package)

TCA Secs. 66-00-0000; 66-24-0114; 66-24-0115; 66-25-0103

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 2525 Johnson J.

HB 2546* Casada

CRIMINAL LAW: Bad check law expanded. Includes in the types of checks covered by the bad check law those checks written for housing or lodging.

TCA Secs. 39-14-0000; 39-14-0121

Senate Status: Referred to Senate Judiciary.

House Status: Referred to House Judiciary Criminal Practice Subcommittee.

SB 2877 Haynes J.

HB 2919* Fincher

BANKING & CREDIT: Judicial or trust sales of land: advertisement requirements. Clarifies that any sale of land to foreclose a deed of trust, mortgage, or other lien securing any item of value or under court order must be advertised in a newspaper either published or distributed in the county where the sale is located.

TCA Secs. 35-00-0000; 35-05-0101

Senate Status: Referred to Senate Judiciary.

House Status: Caption bill held on House clerk's desk.

SB 2958 Watson B.

HB 2899* Dean

PROPERTY & HOUSING: Residential rental inspection program. Allows municipalities to adopt residential rental inspection programs in order to prevent deterioration.

TCA Secs. 13-21-0300; 13-21-0302; 13-21-0303; 13-21-0304; 13-21-0305; 13-21-0306; 13-21-0307; 13-21-0308; 13-21-0310; 13-21-3014

Senate Status: Referred to Senate State & Local Government.

House Status: Referred to House State & Local Government.

SB 2978* Tate

TAXES GENERAL: Food Sales & Franchise Tax Cut and Job Creation Act of 2010. Creates a state income tax. Eliminates the state sales tax on food and the Hall income tax. Reduces the general state sales tax from seven percent to five percent. Decreases the business franchise tax. Sets the income tax for those filing as single, married filing separately, residential estate and residential trust as zero for taxable income under \$17,500 (\$35,000 for married filing jointly, \$26,000 for head of household) and graduated rates of 3% to 7.75% above that level. Requires nonresidents who earn income in Tennessee to pay state income tax set at the same rate as the residents. Creates certain tax credits that can be applied for the federal income tax. Broadly captioned. (93 pp.)

TCA Secs. 03-00-0000; 04-00-0000; 05-00-0000; 06-00-0000; 07-00-0000; 08-00-0000; 09-00-0000; 12-00-0000; 16-00-0000; 30-00-0000; 36-00-0000; 39-00-0000; 40-00-0000; 45-00-0000; 47-00-0000; 48-00-0000; 55-00-0000; 56-00-0000; 57-00-0000; 61-00-0000; 62-00-0000; 67-00-0000; 67-02-0000; 67-02-0100; 67-02-0102; 67-04-2105; 67-04-2106; 67-04-2108; 67-06-0103; 67-06-0202; 67-06-0203; 67-06-0204; 67-06-0205; 67-06-0221; 67-06-0228; 67-06-0702; 68-00-0000; 69-00-0000; 70-00-0000; 71-00-0000

Senate Status: Referred to Senate Finance, Ways & Means.

SB 2983 Tate

HB 2827* Coley

PROPERTY & HOUSING: Entering property for the purpose of removing litter. Allows the governing body of a county, upon request by a community organization, to authorize such community organization to remedy the condition of the growth of underbrush and litter. Requires that the community organization be entitled to place a lien upon the property for the reimbursement of any expenses incurred by the community organization in remedying the condition.

TCA Secs. 05-01-0000; 06-54-0000; 13-21-0000; 13-06-0100; 05-01-0115; 06-54-0113; 13-21-0204

Senate Status: Referred to Senate State & Local Government.

House Status: Referred to House State & Local Government.

SB 3019* Burks

HB 3156 Curtiss

COMMERCIAL LAW: Inspection of pool installation - pool alarm required. Requires all in-ground and above ground pools to have a properly functioning alarm installed before an electrical inspector shall approve it.

TCA Secs. 47-00-0000; 68-14-0000; 68-14-0400

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Health & Human Resources.

SB 3051* Woodson

HB 3207 Casada

CAMPAIGNS & LOBBYING: Campaign contribution limits. Increases the campaign contribution limits in accordance with the percentage of change in the average consumer price index on January 1 of every odd-numbered year beginning in 2011.

TCA Secs. 02-10-0000; 02-10-0302; 02-10-0306; 02-19-0000

Senate Status: Referred to Senate State & Local Government.

House Status: Referred to House State Government Subcommittee.

SB 3058 Woodson

HB 3078* Haynes R.

LABOR LAW: Administrative garnishment fee. Allows an employer to charge an employee a five dollar administrative fee for processing garnishments.

TCA Sec. 26-02-0222

Senate Status: Referred to Senate Judiciary.

House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3073 Herron

HB 3085* Fitzhugh

TAXES BUSINESS: Limited excise tax exemptions for certain businesses. Creates a limited excise tax exemption for the first \$25,000 in net income of any business having annual profits of less than \$100,000 for tax years 2010 and 2011. Creates a limited excise tax exemption for the first \$15,000 in net income of any business having annual profits between \$100,000 and \$200,000 for tax years 2010 and 2011.

TCA Secs. 04-00-0000; 12-03-0000; 45-08-0000; 56-07-0000; 67-00-0000; 67-04-2008

Senate Status: Referred to Senate Finance, Ways & Means.

House Status: Referred to House Finance Budget Subcommittee.

SB 3084* Burchett

HB 3186 Turner M.

PROPERTY & HOUSING: Photo electric smoke detectors: property requirements. Requires owners or operators of hotels, rental property, or apartment buildings to have photo electric smoke detectors in certain areas or be subject to a \$1,500 dollars fine.

TCA Secs. 68-00-0000; 68-120-0112

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Commerce Industrial Impact Subcommittee.

SB 3090 Burchett

HB 3058* Niceley

LOCAL GOVERNMENT: Eminent domain - fair market value as highest and best use. Requires the fair market value of property to be taken by eminent domain to be based on the highest and best use of the property, meaning the most profitable use after all improvements have been made to the property, without

regard to that use which is legally allowable. Prohibits determination of highest and best use from being limited to current zoning or land use restrictions.
TCA Secs. 07-56-0207; 64-02-0300; 65-06-0100; 65-14-0100

Senate Status: Referred to Senate Judiciary.
House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3158* Henry

HB 3652 Stewart M.

JUDICIARY: Davidson County - litigation tax. Allows the legislative body of Davidson County to impose an annual litigation tax, up to \$5.00 maximum, on filings in general sessions and juvenile court for purpose of funding victim-offender mediation centers.

TCA Secs. 16-20-0100; 16-20-0106

Senate Status: Referred to Senate Judiciary.
House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3192 Barnes

HB 3215* Yokley

PROPERTY & HOUSING: Requirements for energy use in new buildings. Mandates that the minimum requirements for energy use in new buildings other than one-family and two-family dwellings and townhouses equal the American Society of Heating, Refrigeration, and Air-conditioning Engineers (ASHRAE) Standard 90.1-2007.

TCA Secs. 13-19-0100; 13-19-0101

Senate Status: Set for Senate Commerce, Labor & Agriculture Committee 02/09/2010.

House Status: Referred to House Commerce Industrial Impact Subcommittee.

SB 3226* Southerland

HB 3435 Hawk

PROFESSIONS & LICENSURE: TN Real Estate Broker License Act - limited referral office. Authorizes real estate agents for a limited function referral office to be located anywhere in the state.

TCA Secs. 62-13-0000; 62-13-0100; 62-13-0102

Senate Status: Referred to Senate Commerce, Labor & Agriculture.
House Status: Referred to House Commerce.

SB 3251 Tate

HB 3258* Armstrong

CAMPAIGNS & LOBBYING: Gifts from lobbyists. Removes restrictions on gifts from lobbyists. Allows lobbyists to provide a gift to a candidate for public office only if the lobbyist electronically reports the gift to the ethics commission within 48 hours.

TCA Secs. 03-06-0000; 03-06-0305

Senate Status: Referred to Senate State & Local Government.

House Status: Referred to House State & Local Government. House Government Operations will review if recommended.

SB 3279 Burchett

HB 3324* Sargent

PROPERTY & HOUSING: Prohibits new electric service without smoke detector. Repeals requirement for a smoke detector to be equipped in any one-family or two-family dwelling before a connection of new electric service shall be provided.

TCA Sec. 68-120-0111

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Commerce.

SB 3371 Marrero

HB 3184* Turner M.

TAXES GENERAL: TN Taxpayer Equality Act of 2010. Enacts the "Tennessee Taxpayer Equality Act of 2010." Requires the joint select committee on business taxes to review and assesses all tax exemptions to determine their continued feasibility and necessity. Requires the chair of the committee, prior to June 30, 2013, to cause to be prepared legislation that would repeal certain tax exemptions.

TCA Secs. 03-15-0600; 67-00-0000

Senate Status: Referred to Senate Finance, Ways & Means.

House Status: Referred to House Finance Budget Subcommittee.

SB 3380 Marrero

HB 3577* Jones S.

CRIMINAL LAW: Definitions concerning domestic abuse and victims. Corrects cross-reference error in definitions of domestic abuse and victims.

TCA Secs. 36-03-0600; 36-03-0606; 39-13-0000; 39-13-0101; 39-13-0102; 40-11-0100; 40-11-0150; 40-35-0300; 40-35-0303

Senate Status: Referred to Senate Judiciary.

House Status: Referred to House Judiciary.

SB 3381 Marrero

HB 3579* Jones S.

PROPERTY & HOUSING: Altering of rental agreement for victim of domestic abuse. Holds a landlord civilly liable for damages resulting from the domestic abuse of a renter because renter was unable to end rental agreement to seek safe shelter.

TCA Secs. 29-34-0200; 39-00-0000; 40-00-0000; 66-00-0000

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3404 Barnes

HB 3501* Johnson C.

GOVERNMENT ORGANIZATION: Preparation of business impact notes. Authorizes an impact note to be prepared upon request by two or more members of the general assembly that describes the effect on business of any general bill. Requires commissioners of various state departments to provide assistance to fiscal review committee to aid in preparation of business impact notes.

TCA Secs. 03-02-0000; 03-02-0100

Senate Status: Referred to Senate State & Local Government.

House Status: Referred to House Finance Budget Subcommittee.

SB 3430* Henry

PROPERTY & HOUSING: Destruction of facilities after change in zoning. Allows multifamily residential property owner to destroy present facilities and reconstruct new facilities even after a change in zoning.

TCA Secs. 13-00-0000; 13-07-0208

Senate Status: Referred to Senate State & Local Government.

SB 3446 Tate

HB 2437* Hardaway

PROPERTY & HOUSING: Notice given to defendant for writ of possession. Requires sheriff or constable to give at least 24 hour written notice prior to the execution of the writ of possession. Requires notice to be posted on the door of the premises described in the writ of possession and to specify the date and time of the removal of the defendant's personal property from the premises. Specifies that removal of property can only occur between the hours of eight o'clock a.m. and five o'clock p.m. Holds plaintiff civilly liable for damages to defendant's removed personal property if notice requirements are not followed.

TCA Secs. 29-15-0000; 29-18-0100; 29-18-0126; 66-28-0000

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3473 Jackson

HB 2891* Turner M.

CRIMINAL LAW: Prohibits renting residence to a sexual offender. Prohibits renting or leasing any primary, secondary or any other living accommodation to a tenant who is a sexual offender or a violent sexual offender whose victim was a minor if the living accommodation is within 1,000 feet of a school, child care facility, public park, playground, recreation center or public athletic field available for general use.

TCA Secs. 40-39-0000; 40-39-0200

Senate Status: Referred to Senate Judiciary.

House Status: Referred to House Judiciary Criminal Practice Subcommittee.

SB 3571 Ketron

HB 3573* Rowland

TORT LIABILITY: Property owner not liable for damages caused by felony act. Prohibits injured party from recovering damages from the owner of a property where the injury occurs in cases where third person commits or attempts to commit a felony act. Applies only if the owner, lawful occupier, or tenant of such property did not participate in or facilitate the commission of such felony.

TCA Secs. 29-00-0000; 29-34-0201

Senate Status: Referred to Senate Judiciary.

House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3581 Ketron

HB 3201* Eldridge

PROPERTY & HOUSING: Carbon monoxide alarm detectors in new structures. Requires every dwelling unit to be equipped with at least one approved carbon monoxide alarm in operating condition within 15 feet of every room used for sleeping purposes, except in residential unit that does not rely on combustion of fossil fuel for heat.

TCA Sec. 68-120-0100

Senate Status: Set for Senate Commerce, Labor & Agriculture Committee 02/09/2010.

House Status: Set for House Commerce Industrial Impact Subcommittee 02/10/2010.

SB 3653 Kelsey

HB 3699* Rowland

ECONOMIC DEVELOPMENT: Mandatory use of e-verify system in hiring. Requires each employer, including the state and local government, to use the e-verify system created by the federal governments to verify the employment eligibility status of any person seeking employment. Requires such employer to maintain a copy of documentation verifying the eligibility of the application for a period of three years.

TCA Secs. 50-00-0000; 50-01-0000

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Introduced 2/1/2010

SB 3674 Bunch

HB 3211* Casada

CAMPAIGNS & LOBBYING: Redefines employer of a lobbyist. Includes in the definition of "employer of a lobbyist" for corporations, associations, and other organizations persons who are in-house counsel, corporate officers, board members, and persons in government relations or oversight of government relations positions.

TCA Secs. 03-06-0300; 03-06-0301

Senate Status: Referred to Senate State & Local Government.

House Status: Referred to House State Government Subcommittee.

SB 3716 Haynes J.

HB 3381* Sontany

LOCAL GOVERNMENT: Municipalities - nonconforming uses. Permits the legislative body of any municipality or metropolitan form of government that has adopted zoning regulations by ordinance to establish a method of terminating nonconforming industrial, commercial or business establishments or uses following a period of amortization. Specifies that the period of amortization is from five to 20 years.

TCA Secs. 13-07-0200; 13-07-0208

Senate Status: Referred to Senate State & Local Government.

House Status: Referred to House State & Local Government.

SB 3717 Haynes J.

HB 3382* Sontany

JUDICIARY: Abatement of nuisances. Includes zoning violations and violations of building codes to definition of types of nuisances that can be abated by the courts.

TCA Secs. 29-03-0000; 29-03-0101

Senate Status: Referred to Senate Judiciary.

House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3723 Haynes J.

HB 2888* Turner M.

PROPERTY & HOUSING: Davidson County - security deposits for water service fee. Requires landlords in Davidson County to secure water service fee deposits from tenants. Requires the landlord to inquire about whether the tenant has paid all water service fees upon termination of occupancy and establishes procedure for dealing with instances where the tenant has not paid.

TCA Secs. 07-00-0000; 66-28-0000; 66-28-0300; 68-221-0000

Senate Status: Referred to Senate Commerce, Labor & Agriculture.

House Status: Referred to House Judiciary Civil Practice Subcommittee.

SB 3725* Haynes J.

JUDICIARY: Serving summons for forcible entry: changes in time. Allows sheriff or sheriff's deputy to post a copy of the warrant on the premises after being unable to personally serve the person three times within six days instead of 10 days from the required date of appearance.

TCA Secs. 29-18-0000; 29-18-0115

Senate Status: Referred to Senate Judiciary.

SB 3726* Haynes J.

JUDICIARY: Postponing of trial for forcible detainer cases. Allows a general sessions judge to postpone a trial for forcible detainer cases beyond 15 days if the parties agree and one or both of the parties requested the postponement.

TCA Sec. 29-18-0118

Senate Status: Referred to Senate Judiciary.

SB 3754* Bunch

HB 3905 McCord

TORT LIABILITY: Duty of care not owed to trespasser. Specifies that an owner, lessee, or occupant of land does not owe a duty of care to a trespasser on such

land and is not liable for any injury to a trespasser on such land, in including injury caused by the owner, lessee, or occupant's negligent conduct.
TCA Secs. 29-00-0000; 29-34-0200

Senate Status: Referred to Senate Judiciary.
House Status: Introduced 2/8/2010

SB 3782* Bunch

TAXES PROPERTY: Taxpayer property redemption: changes in time. Alters the time when a taxpayer may redeem property from one year from the date the property was sold to one year from the date of the sale confirmation order.
TCA Secs. 67-05-2700; 67-05-2702

Senate Status: Referred to Senate Judiciary.

SB 3862*

HB 3817

COMMERCIAL LAW: Violations of Fair Debt Collection Practices Act.

Makes engaging in any prohibited practice while attempting to collect or collecting a debt a violation of the Consumer Protection Act of 1977. (S: Kyle; H: Turner M.)

Fiscal Note: Dated: February 4, 2010 Increase state revenue - not significant. Increase state expenditures - not significant. Increase local revenue - not significant. Increase local expenditures - not significant.

Senate Status: Referred to Senate Commerce, Labor & Agriculture.
House Status: Referred to House Consumer Affairs Subcommittee.

HB 2090* Towns

BANKING & CREDIT: Prohibiting seizures on bank accounts by debtors. Prohibits execution, seizure, or attachment on personal bank account of debtor if attempted by any business entity. Makes withdrawal of funds by a business from a personal bank account resulting from delinquency or non-payment an unfair or deceptive act under Consumer Protection Act. (Broadly captioned.)

TCA Secs. 25-00-0000; 26-00-0000; 26-02-0111; 45-00-0000; 47-00-0000; 47-18-0104

House Status: Referred to House Judiciary Civil Practice Subcommittee.

HJR 0003 Kelsey

TAXES GENERAL: Constitutional amendment - prohibition on income tax. Proposes an amendment to Article II, Section 28 of the state constitution to clarify language that currently prohibits the levying of a tax on any class of income, other than income derived from stocks and bonds, and to prohibit any tax levied on or measured by employer payrolls.

Amendment: House Budget Subcommittee amendment 1 deletes section relative to electronic publication and notification.

House Status: House Budget Subcommittee 06/15/2009 deferred to next calendar.