

# AIA Bill Profile

4/22/11

Bill no.	Summary	Senate Status	House Status
<b>CONSTRUCTION</b>			
SB 0904 HB 1082*	<b>Local construction inspection services.</b> Requires local jurisdictions located in Davidson, Hamilton, Knox, and Shelby County who are approved by the state fire marshal to enforce and adopt specified codes to take on the responsibility of all required construction inspection services for buildings less than three stories high and requires all building plans be submitted to the local government for approval. (S: Watson B.; H: McCormick)	Set for Senate Commerce, Labor & Agriculture Committee 04/26/2011.	House General Subcommittee of Commerce deferred to 2012.
SB 1377 HB 1613*	<b>Building construction safety standards.</b> Removes fee the state fire marshal charges for review and approval of plans and specifications prior to construction or alteration of certain types of buildings or structures. Broadly captioned. (S: Finney L.; H: Shaw)	Referred to Senate Commerce, Labor & Agriculture.	Taken off notice 04/13/2011 in House General Subcommittee of Commerce.
<b>CORRECTIONS</b>			
SB 0649* HB 1211	<b>Private prison contracting.</b> Allows the state building commission, the attorney general and reporter, and the commissioner to proceed with approval of proposals, contracts, and contract renewals concerning private prison contracts without comment from the oversight committee on corrections, the fiscal review committee, and the state and local government committees of the house and senate if they fail to respond within 30 days. (S: Tracy; H: Haynes R.)	Referred to Senate State & Local Government.	Referred to House General Subcommittee of State & Local Government.
<b>ECONOMIC DEVELOPMENT</b>			
SB 1385 HB 1676*	<b>Community development block grant for contractor.</b> Requires the department of economic and community development to award a community development block grant to the Tennessee contractor with the lowest bid, unless such contractor's bid is more than 10 percent greater than the lowest bidder. (S: Finney L.; H: McDonald)	Taken off notice in Senate Commerce, Labor & Agriculture 04/19/2011.	Taken off notice 04/13/2011 in House General Subcommittee of Commerce.
<b>EDUCATION</b>			
SB 1596 HB 1752*	<b>Energy efficient schools initiative deleted.</b> Deletes the energy efficient schools initiative from statute and transfers remaining amounts in the energy efficient schools council fund to the lottery for education account. (S: Marrero; H: DeBerry L.)	Failed in Senate Education 04/20/2011.	Set for House General Subcommittee of Education 04/27/2011.

<p>SB 1916 HB 1132*</p>	<p><b>Local boards of education may enter into capital leases.</b>          Authorizes local boards of education to enter into capital leases and build-to-suit capital leases of real or personal property for the use, construction, repair or renovation of school buildings and facilities. Specifies that such a capital lease may relate to either an existing building or a new school building to be constructed. Requires that the term of such a lease not exceed 40 years. Specifies that no deficiency judgment may be rendered against any local board of education or local legislative body in any action for breach of a contractual obligation in connection with such a lease. Establishes requirements for bidding processes for any construction projects connected to such leases. (S: Woodson; H: Brooks, Harry)  <b>Amendment:</b> House Education amendment 1 removes requirement in original bill that construction work did not have to be performed under the contractor provisions of TCA 49-2-203(a)(3) unless expenditures for the work exceeded \$300,000. Before entering into any capital lease agreement, the local board of education is required to adopt a resolution authorizing this action and publish its intent to adopt a resolution at least 10 days in advance of the meeting where this resolution may be adopted. Sets forth resolution requirements. Requires private developers to bid work competitively and to advertise for bids in a newspaper of general circulation at least 30 days before the bid date. Requires private developers to provide a performance bond equal to 100 percent of the construction contract amount.</p>	<p>Senate Education deferred to 04/27/2011.</p>	<p>Set for House General Subcommittee of Finance 04/27/2011.</p>
<p>HB 1174*</p>	<p><b>Local boards of education can enter into capital leases.</b>          Authorizes local boards of education to enter into capital leases and build-to-suit capital leases of real or personal property for the use, construction, repair or renovation of school buildings and facilities. Specifies that such a capital lease may relate to either an existing building or a new school building to be constructed. Requires that the term of such a lease not exceed 40 years. Specifies that no deficiency judgment may be rendered against any local board of education or local legislative body in any action for breach of a contractual obligation in connection with such a lease. Establishes requirements for bidding processes for any construction projects connected to such leases. (H: Brooks, Harry)</p>		<p>Referred to House General Subcommittee of Education.</p>
<p>HB 1387*</p>	<p><b>New school construction in Knox County.</b> Authorizes the Knox County board of education to enter into capital leases and build-to-suit capital leases of real or personal property for the use, construction, repair or renovation of school buildings and facilities. (H: Brooks, Harry)</p>		<p>Referred to House General Subcommittee of Education.</p>
<p><b>ENERGY &amp; MINING</b></p>			

SB 1626 HB 0096*	<b>Required energy audits for commercial buildings.</b> Requires each owner of a commercial building to have for that building a comprehensive energy audit conducted; notice of the results of such audit shall be displayed to all tenants and potential tenants of the building. (S: Marrero; H: Hardaway)	Referred to Senate Commerce, Labor & Agriculture.	Taken off notice 04/13/2011 in House General Subcommittee of Commerce.
<b>ENVIRONMENT &amp; NATURE</b>			
SB 0766* HB 1041	<b>Membership revisions to several environmental boards.</b> Dissolves the current solid waste disposal control board, water quality control board, and air pollution control board on specified future dates and provides for the appointment of new boards. Reduces each board to consist of nine members and requires each board to appoint a chair and vice chair member. Removes individually specified professional qualifications of board members and limits qualifications to public members with a sufficient combination of education and training who are free from any conflicts of interest, with slight variations for each board requiring professional qualifications. Places new requirements concerning notice of vacancies to allow applicable persons the opportunity to nominate board members and requires maintenance of a notification registry. Adds procedural rules regarding vacancies to the air pollution control board similar to those governing the other two boards. Allows and provides procedures for nominations for board seats to be made by any state citizen or entity unincorporated or incorporated in the state. Provides a new and identical appointment process for each board which divides appointments between the governor, speaker of the house, comptroller of the treasury, and attorney general to serve varying terms. Requires water quality control board members to serve four year terms. Adjusts rules related to regularly scheduled meetings of the solid waste disposal control board and the air pollution control board. Adds requirements regarding travel reimbursement and per diem allowances for the board of air pollution and control. (pp 18.) (S: Marrero; H: Gilmore)	Referred to Senate Environment, Conservation & Tourism.	Referred to House General Subcommittee of Conservation and Environment.
SB 1118 HB 1233*	<b>Codification of stream mitigation plan requirements.</b> Codifies stream mitigation plan requirements in accordance with state and federal guidelines, including specifying the Tennessee stream mitigation program has been qualified by the U.S. Army of Engineers to eliminate preexisting sources of pollution in certain circumstances. (S: Bell; H: Forgety)	Referred to Senate Environment, Conservation & Tourism.	Referred to House General Subcommittee of Conservation and Environment.
<b>GOVERNMENT CONTRACTS</b>			
SB 0091 HB 0043*	<b>Inclusion of geothermal heating and cooling on bids.</b> Requires language to include geothermal heating and cooling	Senate 03/03/2011	House passed 03/07/2011.

	projects on the outside of the envelope containing a bid that was erroneously left out of a previous public chapter. (S: Ketron; H: Curtiss)	passed.	
SB 0291* HB 0404	<b>Counties may give purchasing preference to local vendors.</b> Permits county legislative bodies to adopt local preference purchasing policies which clearly define both local vendor and local area, establish criteria for vendors to qualify as local, and establish an amount of preference given with a maximum of one percent if based on price. County officials may give preference to local vendors but are not required to. (S: Bell; H: Watson E.)	Referred to Senate State & Local Government.	Referred to House General Subcommittee of State & Local Government.
SB 0489 HB 0385*	<b>Public facilities superintendents, construction contracts.</b> Increases the amount the superintendent of an urban type public facility may purchase without approval of the governing authority from \$500 to \$10,000 and increases the amount of construction contracts from \$2,000 to \$10,000 for which the superintendent must advertise for bids. (S: Ketron; H: Marsh)	Set for Senate Consent 2 04/25/2011.	House passed 03/28/2011.
SB 0669* HB 0933	<b>Bond requirement for public contracts.</b> Establishes that the bond requirement for all public contracts in excess of \$100,000 is subject to change based on the consumer price index for the previous calendar year. (S: Tracy; H: Johnson P.)	Referred to Senate State & Local Government.	Referred to House General Subcommittee of Transportation.
SB 1041 HB 0478*	<b>Contracting for services - use of state employees.</b> Requires certain commissioners and directors to certify to the comptroller that state employees could not have been used instead of contracting with outside entities in rendering services required under certain contracts. Requires such commissioners or directors to attach to the certification persuasive written reasons as to the inability of the department or agency's employees to perform the services required under the contract. Broadly captioned. (S: Ketron; H: Curtiss)	Taken off notice in Senate State & Local Government 03/22/2011.	Set for House State & Local Government Committee 04/26/2011.
SB 1042 HB 0965*	<b>Modification or alteration of bid requirement.</b> Prohibits a modification, alteration, change or deletion to any bid specification or requirement within 48 hours of the bid opening or bid acceptance. Specifies that this is required when a statute, ordinance, resolution, rule or regulation mandates the use of competitive bidding of any kind or nature by a state agency, county or municipal corporation. (S: Ketron; H: Curtiss) <b>Amendment:</b> House Commerce amendment 1 requires that the bidders submit questions to the architect or designer with 96 hours of the bid opening or acceptance.	Set for Senate State & Local Government Committee 04/25/2011.	Set for House floor 04/27/2011.
SB 1157 HB 1476*	<b>Procurement commission.</b> Delays the implementation of last year's bill concerning the procurement commission and	Referred to Senate State &	Referred to House General

	related topics. Makes substantive changes in certain parts of last year's bill. Broadly captioned. (S: Ketron; H: Johnson C.)	Local Government.	Subcommittee of State & Local Government.
SB 1355 HB 1516*	<b>Employer to verify status of employees for state contracts.</b> Restructures and rewords provisions prohibiting the use of illegal immigrants in providing services to government entities. Maintains all previous prohibitions and additionally prohibits government employers, general contractors, or any person providing services under a public contract to hire a person after January 1, 2012 without verifying the employees' work authorization status under the federal work authorization program. Requires a general contractor under a public contract to obtain two of three forms of identification including a driver's license, birth certificate, or social security card from any subcontractors they hire, in addition to copies of the persons work authorization status. Requires the commissioner of labor and workforce development to investigate persons working under a public contract if a complaint is filed and there is reason to believe a violation has occurred or if the commissioner has reason to believe a violation has occurred, which will result in a hearing if substantial evidence exists. Provides for the right of appeal to a commissioner's hearing within 15 days of receipt of notice of the decision, and requires the name of the person initiating the complaint be revealed upon request. Sets out guidelines for license suspension, revocation and prohibition from participating in public contracts for first-time and subsequent violators and the required notice of such penalties to the violator. Prohibits ownership of 51 percent of an entity requiring a license that the owner has already had revoked from another entity in which the person owned at least 51 percent of. (10 pp.) (S: Finney L.; H: Turner M.)	Referred to Senate Commerce, Labor & Agriculture.	House General Subcommittee of State & Local Government deferred to 2012.
SB 1652 HB 1809*	<b>Purchasing preference for Tennessee goods.</b> Adds building materials, as specifically defined, that are produced or manufactured in the state using recycled materials, non-hazardous by-products, or energy production processes first preference, building materials produced in the state by other means second preference, and building materials manufactured by Tennessee bidders third preference in purchases by departments and agencies as long as the cost and quality of such products are equal to other bidders. Adds goods offered by service-disabled veterans, as specifically defined, who are Tennessee residents to those who are also required to receive preference. Requires that the same preferential regulatory scheme applied to state purchases also apply to local governments, in addition to requiring all government entities procuring services to give preference to state bidders meeting quality and cost requirements. (S:	Referred to Senate State & Local Government.	Referred to House General Subcommittee of State & Local Government.

	Gresham; H: Tidwell)		
SB 1672 HB 1498*	<b>Freedom in Contracting Act.</b> Prohibits public agencies from requiring certain wage requirements on contractors performing state funded public works. Prohibits public agencies from requiring contractors to become affiliated with labor organizations or employee organizations. (S: Tracy; H: McDaniel) <b>Amendment:</b> House amendment 1 declares any part of the bill invalid when or if it conflicts with federal law or disqualifies the state for federal funding.	Set for Senate State & Local Government Committee 04/25/2011.	House 04/14/2011 passed with amendment 1.
SB 1701 HB 2033*	<b>Contracts for energy efficient public buildings.</b> Requires that providers of services, material, and equipment in state and local building contracts meet specified energy efficiency standards. (S: Burks; H: Curtiss)	Referred to Senate State & Local Government.	Taken off notice 04/13/2011 in House General Subcommittee of State & Local Government.
SB 1702 HB 2032*	<b>Energy cost savings on state building commission project.</b> Establishes procedure for deducting from amount bid on state building commission project the estimated energy cost savings attributable to bidder's design modifications and proposals. Requires that, for projects deemed appropriate, any designer provide information to the building commission such as estimated yearly BTU consumption of the project and a description of the alternatives considered to reduce projected energy consumption for the project. (S: Burks; H: Curtiss)	Referred to Senate State & Local Government.	Taken off notice 04/13/2011 in House General Subcommittee of State & Local Government.
SB 1944 HB 2079*	<b>Allowances for Tennessee businesses.</b> Requires chief procurement officer to promulgate rules authorizing an allowance for Tennessee businesses in the evaluation of bids and proposals for state contracts. Specifies that the allowance to be given to a Tennessee business shall not exceed five percent of the lowest responsive, responsible bidder meeting specifications and shall be applied on a sliding scale. (S: Finney L.; H: Fitzhugh)	Referred to Senate State & Local Government.	House General Subcommittee of State & Local Government deferred to summer study.
SB 1981 HB 2102*	<b>Preference to Tennessee bidder.</b> Requires preference to services by Tennessee bidder if cost of service is not 10 percent greater than cost of other similar services of similar expected quality that are not offered by a Tennessee bidder. (S: Stewart E.; H: Turner M.)	Referred to Senate State & Local Government.	Referred to House General Subcommittee of State & Local Government.
<b>GOVERNMENT ORGANIZATION</b>			
SB 0146* HB 0262	<b>State board for licensing contractors appointments.</b> Makes permissive, instead of mandatory, the provisions for the Home	Referred to Senate	Referred to House

	Builders Association of Tennessee, Inc. submitting list of recommended persons to the governor. Makes consulting with the Association about its recommendations prior to the governor making appointment to the state board for licensing contractors also permissive instead of mandatory. (S: Watson B.; H: Cobb J.)	Government Operations.	Government Operations.
SB 0172* HB 0242	<b>Sunset - board of examiners for architects and engineers.</b> Sunsets the board of examiners for architects and engineers on June 30, 2013. (S: Watson B.; H: Cobb J.)	Set for Senate Government Operations Committee 04/27/2011.	House passed 02/28/2011.
<b>GOVERNMENT REGULATION</b>			
SB 0290 HB 0148*	<b>Three-star community status/government funding requirements.</b> Prohibits the department of economic and community development from considering that a county or municipality has opted out of certain statewide building safety standards when evaluating whether such entity has qualified for three-star community status or certain department funds. (S: Bell; H: Forgety)	Referred to Senate Commerce, Labor & Agriculture.	Referred to House General Subcommittee of State & Local Government.
SB 2041 HB 0839*	<b>Weatherization and energy conservation services.</b> Directs the comptroller of the treasury to study the process of awarding contracts involving weatherization services by the department of human services to identify impediments in weatherization and energy conservation services and to report findings to the senate and house health and human resources committee. (S: Ford O.; H: Cooper B.)	Referred to Senate General Welfare.	Taken off notice 03/09/2011 in House General Subcommittee of Commerce.
<b>INSURANCE GENERAL</b>			
SB 2018 HB 1047*	<b>Licensure of independent insurance adjusters.</b> Requires independent insurance adjusters to be licensed. (S: Stewart E.; H: Matheny)	Senate Commerce, Labor & Agriculture deferred to 04/12/2011.	Referred to House General Subcommittee of Commerce.
<b>JUDICIARY</b>			
SB 0395* HB 0511	<b>Transportation-related presumptions and immunity.</b> Establishes a presumption of proximate cause of injuries or damages for motor vehicle accidents occurring within a construction zone when one of the vehicle drivers was drunk, under the influence of certain drugs, or convicted of reckless driving in relation to the accident. Provides immunity to road and bridge contractors if at the time of the accident, the contractor was in compliance with contract documents material to the condition that was the proximate cause of the	Senate Transportation recommended 04/13/2011 with amendment 1. Sent to Senate Calendar Committee.	Set for House General Subcommittee of Judiciary 04/27/2011.

	<p>injury, but exceptions apply. Establishes a presumption that engineers who provide engineering plans to the department of transportation have exercised the care that other similarly situated engineers have exercised. (S: Overbey; H: Lundberg)</p> <p><b>Amendment:</b> Senate Transportation amendment 1 rewrites the bill. Establishes a presumption of proximate cause of a motor vehicle accident occurring within a construction zone that results in death, injury, or damage if the vehicle operator is found to be under the influence. Establishes immunity from claims for personal injury, property damage, or death arising from certain Department of Transportation (TDOT) projects. Requires a contractor or an engineer to provide TDOT with written notice of any apparent errors or omissions in the contract document or TDOT's design standards.</p>		
<p>SB 1522* HB 2008</p>	<p><b>Tennessee Civil Justice Act of 2011.</b> Enacts the "Tennessee Civil Justice Act of 2011." Specifies new venue requirements for any civil suit against a company to no longer include any county in which the business has an agency or office. Reduces from \$75,000,000 to \$25,000,000 the maximum bond a civil litigant must post to appeal a final order and stay execution of the order while on appeal. Establishes a normal rule requiring bond equal to 125% of the judgment, excludes punitive damages from the calculation of the bond amount and provides for an appeal without the risk of bankruptcy. Clarifies that a civil plaintiff may recover for economic losses incurred but not for charges subject to discounts or forgiveness of such health care charges that would be discounted under a health care plan. Limits non-economic damages to \$750,000 per injured plaintiff outside of the health care liability action context and \$750,000 per occurrence in the health care liability action context. Provides limits for punitive damages at two times compensatory damages or \$500,000 whichever is greater. Prevents punitive damages in products liability actions when the defendant complied with state and federal regulations. Limits liability of a seller of a product except in certain specific circumstances. Enables interlocutory appeal of orders granting or denying class certification and automatic stays. (Part of Administration Package) (13 pp.) (S: Norris; H: McCormick)</p> <p><b>Amendment:</b> House General Subcommittee of Judiciary amendment 1 rewrites the bill. Deletes a provision granting venue in the county where the plaintiff resides when the defendant is not a natural person, the county where the defendant is found for civil actions of a transitory nature, and the court district the tort arose when domestic and foreign companies have an office or agent in the same county but in a different court district. Deletes a section providing proper venue for actions against foreign corporations. Requires the appeal bond to stay execution in a civil action be the lesser of \$25,000,000 or 125 percent of the judgment amount instead</p>	<p>Set for Senate Judiciary Committee 04/26/2011.</p>	<p>House Judiciary 04/19/2011 recommended with amendment 1,2, 3, 4 and 5. Sent to House Calendar &amp; Rules.</p>

of a flat \$25,000,000 maximum. Permits instead of requires a judge to include punitive or exemplary damages in an order establishing a bond amount because the appellant is dissipating assets to avoid payment of a judgment and removes the 125 percent of the judgment bond maximum under such circumstances. Allows the court to establish terms and conditions it deems proper to allow an appeal to proceed when the cost of a bond would render an appellant insolvent. Deletes a provision excluding from economic damages any amounts discounted or forgiven due to a financial relationship with a health insurer or other payor instead of excluding costs not paid or repayable by various insurance policies and programs. Adds pharmacists and pharmaceutical interns and technicians to the definition of healthcare liability action. Adds mental health treatment to the definition of economic damages. Increases the proposed damages cap on health care liability actions to \$750,000 per individual instead of per occurrence and applies the cap to all injuries and occurrences which were or could have been asserted. Exempts from the \$750,000 limitation on noneconomic damages injuries and losses of a catastrophic nature and personal injury or wrongful death actions in which the defendant had a specific intent to inflict serious physical injury, materially altered or concealed records to evade liability, or the defendant was under the influence and substantially impaired which caused the injury. Applies the \$750,000 limitation on noneconomic damages to cases involving multiple defendants liable under comparative fault. Prohibits the noneconomic limitation from being disclosed to the jury. Limits findings of past damages to medical costs, other economic damages, and noneconomic damages. Requires the trier of fact to make a specific finding as to whether or not a catastrophic loss or injury has occurred when disputed facts exist. Requires all calculations of future losses reflect net present value. Deletes a provision excluding from economic damages charges that have been or are subject to discount or forgiveness for any reason. Requires the trier of fact by special verdict to determine whether a defendant's conduct was malicious, intentional, fraudulent or reckless for the purpose of determining if punitive damages may be considered instead of allowing the court to determine whether the issue of punitive damages may be submitted to the trier of fact and requires a prompt evidentiary hearing on the amount of punitive damages if determined such conduct exists. Deletes language allowing an evidentiary hearing on the availability of punitive damages only if compensatory damages have been made against a party. Replaces circumstances exempt from the limitation on punitive damages to include the same circumstances exempting actions from the limitations on noneconomic damages and requires a special verdict to determine whether any of these circumstances exist if there is a disputed issue of fact. Deletes

	<p>language placing the burden of proof on the claimant to establish specified circumstances to allow a punitive damage award. Adds requirements to what constitutes defendant's compliance with government regulations which prohibits an award of punitive damages. Applies 29-39-104 to govern punitive and exemplary damages against a manufacturer of a drug or device. Deletes language removing a rebuttable presumption that a product is not unreasonably dangerous when in compliance with federal, state, or administrative law. Deletes language excluding securities from the definition of goods and excluding the marketing and selling of securities from the definition of services. Grants the power of enforcement against acts deceptive to a consumer to the attorney general and the director of the division and requires both receive notice of an appeal to an action brought under the consumer protection act and permits either to intervene. Deletes language prohibiting the commencement of any class action under the consumer protection act.</p>		
<b>LOCAL GOVERNMENT</b>			
SB 1668 HB 1090*	<p><b>Copies of building and utility codes maintained by clerk.</b> Requires the governing body of any county to file one copy, instead of three copies, of the building and utility codes adopted by reference with the county clerk for public use. (S: Tracy; H: Todd)</p>	Senate 04/04/2011 passed.	House passed 04/04/2011.
SB 1716 HB 1075*	<p><b>Design review commissions.</b> Authorizes any county legislative body to create a design review commission (DRC), which will have the authority to develop general guidelines for the exterior appearance of nonresidential property, multiple family residential property, and any entrance to a nonresidential development within the county. (S: Yager; H: Maggart)</p>	Senate State & Local Government deferred to 04/19/2011.	Taken off notice 04/13/2011 in House General Subcommittee of State & Local Government.
<b>PROFESSIONS &amp; LICENSURE</b>			
SB 0867* HB 1741	<p><b>Registered interior designers.</b> Changes the title "registered interior designers" to "licensed interior designers" and allows them to prepare non-structural interior design plans for large commercial interior spaces. (S: Crowe; H: Sontany)</p>	Set for Senate Commerce, Labor & Agriculture Committee 04/26/2011.	Referred to House General Subcommittee of Commerce.
SB 1364 HB 1382*	<p><b>Renewal of contractor license.</b> Specifies that renewal of contractor license must be performed at least 30 days prior to expiration. Broadly captioned. (S: Finney L.; H: Fitzhugh)</p>	Taken off notice in Senate Commerce, Labor & Agriculture 04/19/2011.	Referred to House General Subcommittee of Commerce.

SB 1542 HB 1608*	<b>Contractor licensure exemptions.</b> Exempts persons or entities from the requirement to obtain a license as a general contractor or home improvement contractor, if the person discloses that the person is not licensed, obtains other permits required by law, and does not submit or attempt to submit a bid to install any material, and the removal must not include delegations to any other person or entity or affect the building's structural integrity. (S: Berke; H: McDonald)	Set for Senate Commerce, Labor & Agriculture Committee 04/26/2011.	Set for House Commerce Committee 04/26/2011.
SB 1849 HB 1852*	<b>Exemption for mechanical or HVAC contractors.</b> Eliminates licensing exemption for licensed electrical contractors who install duct alarm system detectors on HVAC systems. Eliminates the requirement that entities or individuals qualifying for the exemption derive less than 50 percent of their gross annual revenue from the alarm system business. Limits the licensing exemption to mechanical or HVAC contractors who install duct detectors on HVAC systems. (S: Crowe; H: Matlock)	Referred to Senate Commerce, Labor & Agriculture.	Taken off notice 04/13/2011 in House General Subcommittee of Commerce.
SB 1876 HB 0809*	<b>Committee to review which professions can be deregulated.</b> Creates a special committee to study licensure and certification of certain professions and occupations, looking for evidence of duplication, redundancy, inefficiency and obsolescence. Requires the committee to consist of six members. Requires the governor to appoint three members, one from each grand division of the state. Requires the speakers of the house and senate to jointly appoint three members, one from each grand division of the state. Requires all members of the committee to be consumers who are neither employed in nor have any direct or indirect affiliation with any business or profession licensed by the state of TN. (S: Kyle; H: Turner M.)	Senate Government Operations deferred to 04/20/2011.	Taken off notice 04/20/2011 in House General Subcommittee of Commerce.
<b>PROPERTY &amp; HOUSING</b>			
SB 0346* HB 0504	<b>Non-conforming use exemptions.</b> Includes multifamily residential developments among establishments affected by non-conforming use exemptions and restrictions in municipal zoning regulations. Changes from 30 continuous months of cessation of operation by a facility during which non-conforming use exemption expires to continuous period of between 12-30 months, as established by zoning ordinance. (S: Haynes J.; H: Sargent)	Taken off notice in Senate State & Local Government 03/08/2011.	Withdrawn 03/10/2011 in House.
SB 1586 HB 1792*	<b>Energy audits of state buildings.</b> Requires owners of commercial buildings within the state to have a comprehensive energy audit conducted on such buildings and to conspicuously display the results of such audit by October 1, 2011. Also requires comprehensive energy audits for all state buildings and state-owned facilities. (S: Marrero; H: Hardaway)	Referred to Senate State & Local Government.	Taken off notice 04/13/2011 in House General Subcommittee of State & Local

			Government.
SB 1756 HB 1192*	<b>Contractor to specify funding plans on contracts.</b> Requires a contract entered into between a developer or owner of property and a prime contractor to include specific information concerning the manner in which the developer or owner plans on financing the project. Broadly captioned. (S: Ketron; H: Curtiss)	Referred to Senate Commerce, Labor & Agriculture.	Referred to House General Subcommittee of Commerce.
<b>PUBLIC FINANCE</b>			
SB 0530 HB 0131*	<b>Bond issuance - department of education.</b> Authorizes the state of Tennessee, acting by resolutions of its funding board, to issue and sell direct general obligation interest bearing bonds of the state of Tennessee in amounts up to \$25,000,000 to be allocated to the department of education to be used for the purpose of capital outlay and maintenance for institutions of public k-12 education. (S: McNally; H: Sargent)	Referred to Senate Education.	Withdrawn in House 02/07/11.
SB 1450* HB 1986	<b>Bond issuance.</b> Authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for the purpose of providing funds to the department of finance and administration; to provide for necessary repairs or additions to buildings and facilities, expressly including the acquisition of real estate, site work, facility development, and other development costs, including equipment of facilities; to provide funds for the state office buildings and support facilities revolving fund, and to provide for the expenditure of said funds. (S: Barnes; H: Johnson C.)	Referred to Senate Finance, Ways & Means.	Referred to House General Subcommittee of Finance.
SB 1517* HB 1988	<b>Bond issuance.</b> Authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes. (S: Norris; H: McCormick)	Referred to Senate Finance, Ways & Means.	Referred to House General Subcommittee of Finance.
SB 1773 HB 2036*	<b>Bond issuance.</b> Authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes not to exceed \$50,000,000 for certain purposes, including higher education and the acquisition of real estate. (S: McNally; H: Fitzhugh)	Referred to Senate Finance, Ways & Means.	Referred to House General Subcommittee of Finance.
SB 1904 HB 0314*	<b>Bond issuance to higher education commission.</b> Grants the state the power to issue and sell direct general obligation interest-bearing bonds not to exceed \$50,000,000 to be allocated to the Tennessee higher education commission and used for the purpose of capital outlay and maintenance for institutions of higher education. (S: Kyle; H: Fitzhugh)	Referred to Senate Finance, Ways & Means.	House General Subcommittee of Finance deferred to last calendar.
SB 2067 HB 2115*	<b>Model finance transaction policies.</b> Authorizes the state funding board to require public entities to adopt the model	Referred to Senate Finance,	Referred to House General

	finance transaction policies created by the board. Clarifies that such policies would include budgeting and capital planning, finance transaction management, investment, and risk management. Broadly captioned. (S: Southerland; H: Weaver)	Ways & Means.	Subcommittee of Finance.
<b>TAXES SALES</b>			
SB 0708 HB 0785*	<b>Exemption - solar panels purchased for residential use.</b> Exempts solar panels purchased exclusively for residential use from sales taxes. (S: Barnes; H: McDonald)	Set for Senate Finance Tax Subcommittee 04/25/2011.	Referred to House General Subcommittee of Finance.
SB 0709 HB 0784*	<b>Exemption - solar panels purchased for commercial use.</b> Exempts solar panels purchased for any legitimate business purpose or commercial use from sales tax. (S: Barnes; H: McDonald)	Set for Senate Finance Tax Subcommittee 04/25/2011.	Referred to House General Subcommittee of Finance.
SB 2050 HB 0100*	<b>Sunset of sales tax exemptions.</b> Requires the commissioner of revenue to report to the general assembly on the feasibility of assigning expiration dates for sales tax exemptions on a staggered schedule. If the commissioner determines the expiration dates to be feasible, the commissioner is required to recommend to the general assembly schedule of expiration dates for each exemption so that when fully implemented each exemption would be reauthorized every ten years. (S: Ford O.; H: Hardaway)	Senate Finance, Ways & Means deferred to 04/26/2011.	Referred to House Finance Study Committee Subcommittee.
<b>TRANSPORTATION VEHICLES</b>			
SB 1728 HB 1982*	<b>U.S. Green Building Council plates.</b> Authorizes issuance of new specialty earmarked plates for the United States Green Building Council. Allocates 50 percent of revenue from sale of such plates to the United States Green Building Council. (S: Tate; H: Gotto)	Taken off notice in Senate Transportation 04/13/2011.	House Transportation deferred to the last calendar.
<b>WORKERS COMPENSATION</b>			
SB 1550 HB 2030*	<b>Exemption from coverage - construction services providers.</b> Clarifies that the general contractor of a commercial construction project shall select the three individual construction services providers who may be exempt from workers' compensation coverage while working on the commercial construction project. Allows five instead of three corporate officers who are engaged in the construction industry to apply for an exemption from the requirements that they be covered by workers' compensation insurance. Contains broad caption. (S: Ketron; H: Curtiss) <b>Amendment:</b> House Consumer and Employee Affairs amendment 1 deletes the original bill. Defines employee not to include a construction services provider who is listed on the workers' compensation exemption registry. Decreases, from	Senate Commerce, Labor & Agriculture recommended 03/29/2011 with amendment. Sent to Senate Finance, Ways & Means.	Set for House General Subcommittee of Finance 04/27/2011.

30 to 20 percent, the share of ownership required for partners in a partnership or members of limited liability companies to be eligible for exemption. Authorizes an individual, associated with multiple business entities, to be listed as exempt for each entity in the Workers' Compensation Exemption Registry. Requires revocation of all exemptions in a person or entity's name whose license is revoked. Requires revocation of exemptions for failure to pay any workers' compensation premiums. Establishes a fee of \$20 for a second or subsequent exemption, valid for a period of two years. Requires any insurance policy canceled as a result of exemption to be canceled with no penalty. Senate Commerce amendment 1 clarifies that the exemption from workers' compensation insurance for three construction services providers who are performing direct labor on a commercial construction project applies to three individuals and not three entities. Senate Commerce amendment 2 rewrites the bill. (1) States that a construction services provider who is listed on the workers' compensation exemption registry is not an "employee" if such provider is working in the service of the business entity through which the provider obtained such an exemption. (2) Clarifies that any person who has a workers' compensation exemption shall not be within the scope of the workers' compensation chapter. (3) Current law (Public Chapter 1149) defines "engaged in the construction industry" as a person assigned to the contracting group as designated by the department of commerce and insurance. This amendment clarifies that if more than one classification applies, the classification that produces the greatest amount of payroll shall be used to determine whether the person or entity is engaged in the construction industry. (4) Clarifies that a construction services provider performing work directly for the owner of the property is exempt from the requirements that he or she be covered under a workers' compensation policy of insurance; provided, that such an exemption shall not apply to any provider that subcontracts any of the work. (5) Currently, only three officers of a corporation may be eligible for a workers' compensation exemption. This amendment increases that number to five. (6) Currently, only partners of a partnership or members of an LLC may be eligible for an exemption if they own at least 30 percent of the partnership or company. This amendment decreases the required ownership to 20 percent. (7) Currently, a construction services provider who has an exemption but is associated with multiple business entities may only obtain one exemption, regardless of the number of business entities for which the provider may be associated. Removes such restriction. (8) Clarifies that a construction services provider's exemption revocation is mandatory instead of permissive if certain circumstances exist, such as the provider failed to pay workers' compensation premium. (9) States that if a

	<p>construction services provider's license is revoked or if the provider has failed to pay workers' compensation premium, whether or not such violation is as the individual or the business entity through which the provider obtained an exemption, all exemptions in the provider's name shall be revoked. (10) Clarifies that a construction services provider shall have the common law right of action if the provider is listed on the registry and is working in the service of the business entity through which the provider obtained such an exemption. (11) Sets the fee for issuance and for renewal of a second or subsequent workers' compensation exemption at \$20. (12) Currently, no more than three construction services providers who are performing direct labor on a commercial construction project may be exempt. This amendment clarifies that the three construction services providers who may be exempt shall be the three that are selected by the general contractor and shall be individuals working in the service of a business entity through which the construction services provider obtained such an exemption. (13) Removes the requirement that the general contractor provide notice to any provider who provides services to such general contractor and who is listed on the registry that such provider is not eligible for an exemption. (14) Clarifies that the section addressing the implementation of Public Chapter 1149 applies prior to March 1, 2011. (15) Requires that any insurance policy that is canceled as a result of a construction services provider obtaining an exemption pursuant to this act shall be canceled as if the insured were retiring, i.e. canceled with no penalty.</p>		
<p>SB 1950 HB 2107*</p>	<p><b>Exemptions from workers' compensation requirements.</b> Provides that the general contractor determines the three construction services providers that may be awarded exemptions from carrying workers' compensation insurance on themselves. Contains broad caption. (S: Southerland; H: Curtiss)</p>	<p>Referred to Senate Commerce, Labor &amp; Agriculture.</p>	<p>Taken off notice 03/30/2011 in House General Subcommittee of Consumer &amp; Employee Affairs.</p>