**February 25, 2019**

# 2019 Legislative Report

Tennessee Society of
Certified Public Accountants

COMMENTS

2019 LEGISLATION

alcoholic beverages

**SB 350 by Briggs/HB 102 by Hulsey - Distribution of liquor-by-the-drink tax proceeds to local political subdivisions.** Extends the way proceeds from liquor-by-the-drink tax collected between July 1, 2018 to June 30, 2019 are distributed to local political subdivisions by one year, from July 1, 2019 to July 1, 2020.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Department & Agencies Subcommittee.

budget

**SB 628 by Watson/HB 829 by Hazlewood - Grant payments under the grant assistance program for nursing home care.** Authorizes grant payments under the grant assistance program for nursing home care to be made either monthly or quarterly. 🠞***Caption bill.***🠜

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

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

**SB 629 by Watson/HB 828 by Hazlewood - Appropriations - legislative enactments passed during 2019 session.** Makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2019 session of the 111th General Assembly. Earmarks sufficient state funds for the purpose of funding any bill naming a highway or bridge in honor of a service member killed in action.

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

**House Status:** Caption bill held on clerk’s desk.

**SB 630 by Watson/HB 1017 by Lynn - Bond issuance.** Authorizes the state, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 988 by Stevens/HB 1024 by Lynn - Notification regarding estimate of board fees.** Requires each board to notify the commissioner of finance and administration when the estimate of board fees for a fiscal year is more than the certified amount of board fees required by the board for that fiscal year. 🠞***Caption bill.***🠜

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

**House Status:** Caption bill held on clerk’s desk.

**SB 1050 by Watson/HB 1019 by Lynn - Grant payments under grant assistance program for nursing home care.** Authorizes grant payments under the grant assistance program for nursing home care to be made either monthly or quarterly. 🠞***Caption bill.***🠜

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1051 by Watson/HB 1018 by Lynn - Appropriations - legislative enactments of 2019 session of general assembly.** Makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2019 session of the 111th General Assembly. Earmarks sufficient state funds for the purpose of funding any bill naming a highway or bridge in honor of a service member killed in action.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

commercial law

**SB 212 by Haile/HB 396 by Lynn - Fees on sales of services and tangible personal property.** Changes the language from "professional services" to "**accounting**, legal, or other professional services" regarding entities exempt from a fee on sales of services and tangible personal property within central business improvement district which is in a tourism development zone.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Cities & Counties Subcommittee.

**✓ SB 232 by Lundberg/HB 57 by Hulsey - Registration exemptions for charitable organizations.** Increases from over $30,000 to over $50,000 the amount of gross contributions that must be raised or received from the public by a charitable organization in order to trigger registration and reporting requirements with the secretary of state.

Fiscal Note: (Dated February 9, 2019) Decrease State Revenue - $46,000/Secretary of State

**Senate Status:** Referred to Commerce & Labor.

**House Status:** **State passed on 2/19/2019; Set in Finance, Ways & Means Subcommittee on 2/27/2019.**

**SB 257 by Kyle/HB 1197 by Miller - Updates definition of marijuana for taxation purposes.** Updates the definition of "marijuana" for purposes of taxation on unauthorized substances to match the definition of "marijuana" as it applies to criminal offenses.

**Senate Status:** Referred to Judiciary.

**House Status:** Caption bill held on clerk’s desk.

**✓ SB 850 by Hensley/HB 1338 by Sparks - Fining foreign LLCs transacting business in Tennessee.** Eliminates the ability for foreign LLCs to pay secretary of state three times for transacting business in the state without first obtaining a certificate of authority. Specifies a foreign LLC that has never exceeded $1,000,000 in total sales per calendar year and has never exceeded $100,000 in sales per calendar year in the state, is exempt from the requirement to pay fees if the state has already granted the company a certificate of sales and use tax exemption or certificate of registration, or has otherwise formally acknowledged the company's authority to conduct business in the state.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** **Set in Business Subcommittee on 2/26/2019.**

**SB 1221 by Niceley/HB 1115 by Coley - Prohibits multiple audits of a business entity.** Requires a state governmental entity to not conduct a financial audit of a business entity more than once in a twelve-month period unless the entity finds substantial evidence of egregious financial misconduct.

**Senate Status:** Referred to State & Local Government.

**House Status:** Caption bill held on clerk’s desk.

employment

**SB 877 by Akbari/HB 424 by Hakeem - Employers reviewing applicants based on prior convictions relative to the position.** Prohibits employers from accessing sealed or expunged criminal records when conduction a criminal background check or asking applications about any previous convictions unless pertaining to the position. Declares that employers can use a conviction relative to the position as a means of not hiring and the employer must send a letter of denial informing the applicant of reason if relative to a conviction.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Referred to Employee Affairs Subcommittee.

**SB 950 by Kyle/HB 1188 by Chism - No Credit Check in Employment Act.** Prohibits the employer use of or procurement of cause credit checks for job applicants or current employees, aside from jobs that require national security or FDIC clearance, executive and managerial positions at financial institutions, or employment positions with state or local agencies that require use of consumer reports.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Referred to Employee Affairs Subcommittee.

**SB 1006 by Gilmore/HB 56 by Potts - Compensation history of applicants for employment.** Prohibits employers from screening applicants based on their compensation history by requiring the applicant’s compensation history to satisfy minimum or maximum criteria or seeking the compensation history of the applicant orally, in writing, or through an employee or agent. Allows employer to consider the compensation of a current employee during a move of job with the same employer. Specifies that a violation is a Class B misdemeanor punishable by a fine only of a minimum of $100 up to a maximum of $500.

Senate Status: Referred to Commerce & Labor.

House Status: Referred to Employee Affairs Subcommittee.

estates and trusts

**SB 404 by Stevens/HB 631 by Bricken - Uniform Fiduciary Income and Principal Act.** Specifies that this chapter applies when this state is the principal place of administration of a trust or estate or the situs of property that is not held in a trust or estate and is subject to a life estate or other term interest. Defines "fiduciary" for purposes of this chapter and specifies duties of fiduciary. Prohibits the court from ordering a fiduciary to change a fiduciary decision unless the court determines that the fiduciary decision was an abuse of the fiduciary's discretion. If the court determines that a fiduciary decision was an abuse of the fiduciary's discretion, the court may order a remedy authorized by law. Allows fiduciary, in a record, without court approval, to adjust between income and principal if the fiduciary determines the exercise of the power to adjust will assist the fiduciary to administer the trust or estate impartially. Permits a fiduciary to release or delegate to a co-fiduciary the power to adjust. Defines "unitrust" and establishes application, duties, and remedies for unitrust. Makes other revisions regarding trusts and estates.

**Senate Status:** Referred to Judiciary.

**House Status:** Referred to Children & Families Subcommittee.

**SB 449 by Bell/HB 984 by Travis - Uniform Power of Attorney Act.** Specifies that a power of attorney created under this chapter is durable unless it expressly provides that it is terminated by the incapacity of the principal. Requires a power of attorney to be signed by the principal or in the principal's conscious presence by another individual directed by the principal to sign the principal's name on the power of attorney. Specifies that a signature on a power of attorney is presumed to be genuine if the principal acknowledges the signature before a notary public or other individual authorized by law to take acknowledgments. Specifies requirements for validity of power of attorney. Permits a principal, in a power of attorney, to nominate a conservator or guardian of the principal's estate or guardian of the principal's person for consideration by the court if protective proceedings for the principal's estate or person are begun after the principal executes the power of attorney. Specifies when power of attorney is effective and establishes other requirements for power of attorney.

**Senate Status:** Referred to Judiciary.

**House Status:** Referred to Children & Families Subcommittee.

**SB 542 by Gardenhire/HB 675 by Garrett - Trustee who has resigned or been removed.** Permits a revocable living trust that becomes irrevocable upon the death of the settlor to refer to a written statement of personal property not otherwise disposed of by the revocable trust. Gives a trustee who has resigned or been removed the right and authority to petition the court for a release and discharge from all liability related to the trust. Make other revisions regarding estates and trusts.

**Senate Status:** Referred to Judiciary.

**House Status:** Referred to Children & Families Subcommittee.

**SB 699 by Stevens/HB 676 by Garrett - Tennessee Disclaimer of Property Interests Act.** Allows a person to disclaim, in whole or part, any interest in or power over property, including a power of appointment. Permits a person to disclaim the interest or power even if its creator imposed a spendthrift provision or similar restriction on transfer or a restriction or limitation on the right to disclaim. Allows a fiduciary to disclaim, in whole or part, any interest in or power over property, including a power of appointment, whether acting in a personal or representative capacity. Also allows a fiduciary to disclaim the interest or power even if its creator imposed a spendthrift provision or similar restriction on transfer or a restriction or limitation on the right to disclaim. Specifies requirements for disclaimer to be effective. Specifies other requirements regarding disclaimer of interest in property, disclaimer of rights of survivorship in jointly held property, disclaimer of interest by trustee, and other disclaimers. Also specifies when a disclaimer can be barred or limited.

**Senate Status:** Referred to Judiciary.

**House Status:** Referred to Children & Families Subcommittee.

government organization & regulation

**SB 93 by Haile/HB 1226 by Casada - Revises membership of advisory committee on open government.** Revises membership of the advisory committee on open government by adding one senator to be appointed by the speaker of the senate and one representative to be appointed by the speaker of the house of representatives.

Fiscal Note: (Dated February 8, 2019) Increase State Expenditures $2,100

**Senate Status:** Referred to State & Local Government.

**House Status:** Caption bill held on clerk’s desk.

**SB 167 by Gardenhire/HB 86 by Zachary - Email communication policy of state or state agency to be posted on website of entity.** Requires the electronic mail communications policy of the state or any agency, institution, or political subdivision of the state to be posted on the website of the entity. 🠞***Public records caption bill.***🠜

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Public Service & Employee Subcommittee.

**✓ SB 196 by Kelsey/HB 261 by Daniel - Expands the Right to Earn a Living Act.** Requires entry regulations, public service restrictions, and statutes to be clearly apparent and shaped to fulfill a legitimate public health or safety objective. Allows individuals to bring civil action on relevant licensing authorities that failed to meet standards. 🠞***Accountants are not included in the coverage of this amended bill.***🠜

**Senate Status:** **Set in State & Local Government on 3/5/2019.**

**House Status:** **Set in Business Subcommittee on 2/26/2019.**

**SB 621 by Hensley/HB 644 by T. Hill - Requires a preponderance of state evidence in suspension proceedings of employees violating state laws or rules prior to taking such action.** Requires a state agency in any proceeding to suspend, terminate, or discipline an employee in state service to prove by a preponderance of the evidence that the employee violated state law or a rule or policy of the agency prior to taking such action.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Public Service & Employee Subcommittee.

**SB 721 by Gardenhire/HB 1268 by Holt - Increases deadline for hearing on adverse action.** Increases from 10 to 12 days the deadline for requesting a formal hearing before the commissioner on adverse action proposed or taken to implement any revenue regulatory or registration law administered by the commissioner, not including those laws relating to assessments or levies of taxes, fees, fines, penalties, interest, or the waiver of penalties.

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

**House Status:** Caption bill held on clerk’s desk.

**SB 759 by Yarbro/HB 252 by Freeman - Requires accommodations for dyslexic applicants for certain licenses.** Requires reasonable accommodations to be made for a person applying for a license to engage in an occupation, trade, or profession who is diagnosed with dyslexia.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Department & Agencies Subcommittee.

**SB 941 by Yarbro/HB 859 by Thompson - Establishes the office of apprenticeship and work-study programs.** Establishes the office of apprenticeship and work-study programs within the department of economic and community development. Requires the commissioner to appoint a director of the office, in consultation with THEC, the Tennessee board of regents, the department of education, and the department of labor. Requires the office to promote federally certified apprenticeship and work-study programs to assist industries that have needs for such programs and to establish industry consortiums in which the apprenticeship and work study programs are organized by industry and where companies can participate to best meet their individual needs. Provides a tax credit to entities that participate in the programs. Reinstates certain apprenticeship programs for certain professional boards and commissions.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Referred to Business Subcommittee.

MISCELLANEOUS

**✓ SB 233 by Lundberg/HB 87 by Zachary - Financial Literacy Week in Tennessee.** Designates the week beginning on the first Sunday in April as Financial Literacy Week in Tennessee.

**Senate Status:** **Senate passed on 2/21/2019.**

**House Status:** **Set in Naming, Designating & Private Acts on 2/26/2019.**

**SB 1068 by Dickerson/HB 171 by Keisling - Redefines debt obligation to include financed purchases.** Changes the term "capital leases" to "financed purchases" to redefine the definition of debt obligation in regard to public entities.

**Senate Status:** Referred to State & Local Government.

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

professional privilege tax

**SB 253 by Kyle/HB 246 by Clemmons - Phases out professional privilege tax.** Phases out the professional privilege tax over a four-year period for tax years that begin on and after June 1, 2019.

Fiscal Note: (Dated January 31, 2019) Decrease State Revenue Net Impact $23,375,600/FY18-19 $46,751,300/FY19-20 $70,126,900/FY20-21 $93,502,500/FY21-22 and Subsequent Years Decrease State Expenditures $243,600/FY18-19 $487,200/FY19-20 $730,800/FY20-21 $974,400/FY21-22 and Subsequent Years Increase Local Revenue $116,000/FY18-19 $232,100/FY19-20 $348,100/FY20-21 $464,200/FY21-22 and Subsequent Years

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

**House Status:** Finance Subcommittee on 2/20/2019 placed behind the budget.

**SB 315 by Watson/HB 338 by Reedy - Phases out professional privilege tax.** Declares the privilege tax is payable on June 1 of each tax year, with each tax year beginning on June 1 and ending on May 31. Decreases professional privilege tax from $400 to $300 annually for tax years ending on or after May, 31, 2022. Repeals tax for tax years ending on or after May 31, 2025.

Fiscal Note: (Dated February 4, 2019) Decrease State Revenue Net Impact $23,375,600/FY20-21 $23,375,600/FY21-22 $23,375,600/FY22-23 $93,502,500/FY23-24 and Subsequent Years Decrease State Expenditures $243,600/FY20-21 $243,600/FY21-22 $243,600/FY22-23 $974,400/FY23-24 and Subsequent Years Increase Local Revenue $116,000/FY20-21 $116,000/FY21-22 $116,000/FY22-23 $464,200/FY23-24 and Subsequent Years Other Fiscal Impact To the extent the General Assembly further reduces the privilege tax rate annually through enactment of a general bill, and that such reductions are equal to $100 each year, beginning in FY20-21, the net decreases in state revenue\* and increases in local revenue are estimated to be: ($23,375,600) for the state and $116,000 for the locals in FY20-21; ($46,751,300) for the state and $232,100 for the locals in FY21-22; ($70,126,900) for the state and $348,100 for the locals in FY22-23; and ($93,502,500) for the state and $464,200 for the locals in FY23-24 and subsequent years. The net decrease in state expenditures for the state is estimated to be: $243,600 in FY20-21; $487,200 in FY21-22; $730,800 in FY22- 23; and $974,400 in FY23-24 and subsequent years. \*net decreases in state revenue denoted parenthetically

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 491 by Bowling/HB 39 by Van Huss - Phases out professional privilege tax.** Reduces the professional privilege tax each year beginning with the tax year that begins on and after June 1, 2019. Eliminates the professional privilege tax completely for the tax year ending on or after May 31, 2024.

Fiscal Note: (Dated January 15, 2019) Decrease State Revenue Net Impact $18,700,500/FY18-19 $37,401,000/FY19-20 $56,101,500/FY20-21 $74,802,000/FY21-22 $93,502,501/FY22-23 and Subsequent Years Decrease State Expenditures $194,900/FY18-19 $389,800/FY19-20 $584,600/FY20-21 $779,500/FY21-22 $974,400/FY22-23 and Subsequent Years Increase Local Revenue $92,800/FY18-19 $185,700/FY19-20 $278,500/FY20-21 $371,300/FY21-22 $464,200/FY22-23 and Subsequent Years

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 492 by Bowling/HB 40 by Van Huss - Eliminates professional privilege tax.** Eliminates the professional privilege tax for the tax year ending on May 31, 2020, and for any subsequent tax years.

Fiscal Note: (Dated January 14, 2019) Decrease State Revenue Net Impact $93,502,500/FY18-19 and Subsequent Years Decrease State Expenditures $974,400/FY18-19 and Subsequent Years Increase Local Revenue $464,200/FY18-19 and Subsequent Years

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 992 by Kelsey/HB 722 by Coley - Exemptions from professional privilege tax - judges and chancellors.** Exempts judges and chancellors from the professional privilege tax assessed to persons licensed as attorneys.

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

**House Status:** Finance Subcommittee on 2/20/2019 placed behind the budget.

**SB 1290 by Pody/HB 1053 by Hall - Exemptions from professional privilege tax.** Exempts individuals from the professional privilege tax if they are exempt from the business tax on gross receipts from providing services for which they are licensed.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1456 by Bailey/HB 1386 by R. Williams - Payment of professional privilege tax by military service member.** Increases the amount of time extended to a military or national guard service member who is subject to the professional privilege tax to pay the tax upon return from a combat deployment from 180 days to 210 days.

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

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

professions & Licensure

**SB 384 by Lundberg/HB 304 by C. Johnson - Exempts armed forces members and their spouses from licensure requirements.** Exempts armed forces members stationed within this state and their spouses from licensure requirements to practice professions and occupations regulated by the department of commerce and insurance and the department of health, subject to meeting certain requirements to practice.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Referred to Business Subcommittee.

**SB 392 by Roberts/HB 282 by Daniel - Review of legislation concerning licensure, certification, or registration requirements.** Requires any legislation that creates or modifies licensure, certification, or registration requirements for occupational and professional groups to be referred for review to the government operations committee or an appropriate standing committee by the speaker of each house.

**Senate Status:** Referred to Government Operations.

**House Status:** Returned to clerk’s desk on 2/20/2019.

**✓ SB 999 by Yarbro/HB 1218 by Potts - Reinstatement of professional and occupational licenses under certain circumstances.** Allows the reinstatement of a professional or occupational licenses if there is submission of an application acceptable to the licensing entity, payment of the full renewal fee for an active license, and payment of any reinstatement penalty that may be required by the licensing entity.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** **Set in Business Subcommittee on 2/26/2019.**

property

**SB 399 by Stevens/HB 236 by Zachary - Increasing of homestead exemption.** Creates a homestead exemption for agricultural land, increases aggregate value of real property homestead exemptions while establishing that, in 3-year intervals, the fiscal review committee will recommend to the general assembly increases in the homestead exemption.

**Senate Status:** Referred to Judiciary.

**House Status:** Referred to Civil Justice Subcommittee.

taxes business

**SB 423 by Hensley/HB 494 by Doggett - Tax on ammunition.** Eliminates the special privilege tax on ammunition.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 558 by J. Johnson/HB 1028 by Lynn - Net earnings and loss to be defined as federal taxable income or loss.** Requires that “net earnings” or “net loss” be defined as federal taxable income or loss according to the federal Tax Cuts and Jobs Act of 2017.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**✓ SB 701 by Stevens/HB 606 by Tillis - Regulation and taxation of tobacco and tobacco-derived products.** Changes the time in which a licensee engaged in the selling, distributing, or handling tobacco products must notify the revenue commissioner of, in writing, any change in information the licensee is required to include in its license application to 15 calendar days.

**Senate Status:** **Set in Commerce & Labor on 2/26/2019.**

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

**SB 913 by Southerland/HB 92 by Hicks - Disclosure of info relevant to enforcement of Tobacco Manufacturer's Escrow Fund Act.** Removes the need for the commissioner to disclose any information relevant to the enforcement of the Tennessee Tobacco Manufacturers’ Escrow Fund Act of 1999 to attorney general and reporter. Deletes certain information surrounding the act be kept confidential by the commissioner, attorney general and reporter, or any attorney. Ends any tobacco sales data provided by another state, a tobacco product manufacturer, or other person or entity to a data clearinghouse from being confidential information as well.

**Senate Status:** Referred to Commerce & Labor.

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

**SB 995 by Kelsey/HB 1296 by Farmer - Tennessee Uniform Protected Series Act.** Establishes provisions governing protected series LLCs. Specifies that a protected series of a series LLC is deemed to be an LLC that is formed separately from the series LLC and is distinct from the series LLC and any other protected series of the series LLC. Specifies that an asset of the protected series is deemed to be an asset of the LLC, whether or not the asset is an associated asset of the protected series. Also specifies that any creditor or other obligee of the protected series is deemed to be a creditor or obligee of the LLC. Authorizes an LLC by its original articles of organization or an amendment to its articles of organization to declare itself to be a series LLC and, if necessary, amend its name, with the affirmative vote or consent of all members of the series LLC, may establish a protected series. Creates application process for a series LLC to establish a protected series. Establishes process for a protected series to amend its name and specifies requirements for such name. Specifies that a protected series of a series LLC may be served with a service of process, notice, demand, or other record required or permitted by law. Requires the secretary of state, on request of any person, to issue a certificate of existence for a domestic protected series of a series LLC or a certificate of authorization for a foreign protected series authorized to transact business in this state if certain conditions are met. Specifies annual reporting requirements for a series LLC or a foreign series LLC. Also specifies requirements for management of a protected series. Establishes other provisions regarding protected series LLCs.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Referred to Business Subcommittee.

**SB 1162 by Hensley/HB 1488 by Bricken - Threshold decennial county growth rate.** Reduces to 15 percent the threshold decennial county growth rate required before a county is authorized to levy a privilege tax on entities engaged in residential development of property to provide the county with an additional source of funding to defray the cost of providing school facilities.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1171 by Swann/HB 508 by Gant - Taxpayer claiming not-for-profit status.** Permits a non-profit hospital to submit an electronic request for conference with the commissioner of health in the event of the issue of a civil penalty. Prohibits the commissioner from taking enforcement action until the final adjuration of the taxpayer’s appeal, in the event of denial to a taxpayer claiming non-profit status.

**Senate Status:** Referred to Health & Welfare.

**House Status:** Referred to Facilities, Licensure & Regulations Subcommittee.

**SB 1198 by D. White/HB 1080 by Rudd - Passive investment income.** Defines passive investment income as gross receipts derived from royalties, rents from residential, farm, or commercial property, dividends, interest, annuities, and sales or exchanges of stock or securities to the extent of any gains therefrom.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1213 by Crowe/HB 818 by Rudder - Extends the business tax exemption - mental or behavioral health services.** Extends the business tax exemption to mental and behavioral health services by persons engaged in the business of providing foster care, residential treatment, therapeutic and rehabilitative care, or other social assistance programs.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1459 by Bailey/HB 1026 by Lynn - Deadline to renew a license to sell, distribute, or handle tobacco products.** Declares July 1, instead of May 31, as the deadline to renew a license to sell, distribute, or handle tobacco products.

**Senate Status:** Referred to Commerce & Labor.

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

taxes general

**SB 248 by Lundberg/HB 227 by Crawford - Dismissal of action after expiration of limitation.** Authorizes a copy of a court order, in lieu of a memorandum of the judgment of the court, to be entered beside a prevailing taxpayer's name in the tax books upon dismissal of an action after expiration of the statute of limitations.

**Senate Status:** Referred to State & Local Government.

**House Status:** Caption bill held on clerk’s desk.

**SB 325 by J. Johnson/HB 326 by Lamberth - Authorizes electronic transmission of angel investor tax credit.** Authorizes electronic transmission of the angel investor tax credit report by the technology development corporation. 🠞***Likely Administration bill.***🠜

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 398 by Kelsey/HB 1262 by Holt - Annual report on tax laws of other states.** Specifies that the commissioner of revenue's annual report on tax laws of other states is to be transmitted to the chief clerks of the senate and the house and to the legislative librarian. Authorizes the report to be transmitted electronically.

**Senate Status:** Referred to Finance Revenue Subcommittee.

**House Status:** Caption bill held on clerk’s desk.

**SB 724 Reeves/HB 773 by Todd - Redaction of confidential info from text of revenue and letter rulings.** Establishes procedures for requesting the redaction of confidential information from the text of revenue and letter rulings issued by the revenue department.

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

**House Status:** Referred to Department & Agencies Subcommittee.

**SB 1047 by Kyle/HB 1061 by Clemmons - Taxpayer Bill of Rights - confidentiality of financial information provided by a taxpayer.** Clarifies the "Taxpayer Bill of Rights" provision requiring the department to keep confidential the financial information provided by a taxpayer.

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

**House Status:** Caption bill held on clerk’s desk.

**SB 1053 by Watson/HB 1063 by Vaughan - Main Street Historic Tourism and Revitalization Act.** Declares that any person incurring costs or expenses for the rehabilitation of a certified historic structure shall receive a credit against state tax liability in an amount equal to the applicable percentage of rehabilitation expenditures, not exceeding $4M per certified historic structure per annual allocation with provisions of requirements established. Establishes that the entire tax credit will be earned in the year the qualified rehabilitation expenditure is placed in service and if the amount of the tax credit exceeds the total tax liability, then the amount can be carried forward for credit against the state tax liability for the succeeding five years or when the full credit is used. Defines allocation of the tax credit and how the person eligible for the tax credit can use the credit. Defines the process used for an applicant to receive approval for a tax credit regarding the rehabilitation of a historic structure. Specified that rehabilitation of a certified historic structure must begin within 18 months of approval of tax credit. Establishes that upon completion, the owner must notify the commission that the rehabilitation has been completed, along with the process of rehabilitation, schedule, and costs associated. Establishes liability to the owner in the event of an excessive tax credit. Defines the appeal process an applicant can make in the event of denial of application.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1102 by Dickerson/HB 186 by Jernigan - Notice of collection by levy.** Requires notification of a levy made upon the salary or wage of a person with respect to unpaid taxes to be mailed via certified mail to the person's last known address. The costs of mailing are to be brought upon the person receiving the notice and may be recovered by the commissioner or commissioner's delegate.

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

**House Status:** Taken off notice in Department & Agencies Subcommittee on 2/20/2019.

**SB 1458 by Bailey/HB 605 by Tillis - Study of tax laws.** Requires the commissioner of revenue to make a thorough study and investigation of the tax laws of other states.

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

**House Status:** Caption bill held on clerk’s desk.

TAXES PROPERTY

**✓ SB 241 by Jackson/HB 403 by Hall - Removes certain state provisions regarding property tax.** Eliminates certify valuation to local officials, authority to place liens, and issue distress warrants for state property tax.

**Senate Status:** **Senate passed on 2/21/2019.**

**House Status:** **Set in Property & Planning Subcommittee on 2/27/2019.**

**✓ SB 278 by Kurita/HB 100 by Leatherwood - Filing of year's property maps with register of deeds.** Changes date when assessors must file that year's property maps with the register of deeds from October 1 to April 15.

**Senate Status:** **Senate passed on 2/21/2019.**

**House Status:** **Set in Property & Planning Subcommittee on 2/27/2019.**

**✓ SB 351 by Briggs/HB 143 by R. Smith - Property tax assessments.** Allows county clerks to keep oaths prescribed for assessors and deputies in electronic or digital format. Allows assessors to provide informal reviews of assessments under certain circumstances, raises cost of taxpayer appeal fees to under $10, except for certain appellants, and allows the appeals commission to delegate decision-making authority to a single member when an evidentiary record must remain open for under 30 days after the hearing.

**Senate Status:** **State & Local Government passed on 2/19/2019; Set on floor on 2/25/2019.**

**House Status:** **Property & Planning Subcommittee passed on 2/20/2019; Set in Local on 2/27/2019.**

**✓ SB 393 by Dickerson/HB 51 by Whitson - Collection of property taxes by banks - evidence of payments provided to trustee.** Changes the frequency that banks that collect property taxes must provide evidence of such payments to the trustee from daily to at least every three business days. Deletes outdated references to penalties that are no longer applied and deletes and obsolete code section.

**Senate Status:** Referred to State & Local Government.

**House Status:** **Set on floor on 2/25/2019.**

**SB 407 by Stevens/HB 404 by Hurt - Assessing authority for telecommunications tower properties.** Specifies that the comptroller of the treasury is the assessing authority for telecommunications tower properties that are owned by a public utility company.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 408 by Stevens/HB 280 by Cepicky - Exemptions for certain non-profits.** Authorizes property tax exemption for certain nonprofit entities that occupy and use real property owned by another tax-exempt institution, including property occupied by an exempt institution that originated as part of a single exempt institution and continues to use the property for the same purpose or property occupied and actually used by the U.S. government, the state, or any agency or political subdivision of the state. Makes other revisions related to property tax exemptions for nonprofit entities.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 574 by Gardenhire/HB 693 by Carr - Time frame for eligible taxpayers to apply for refund.** Extends time eligible taxpayers may apply for a refund or present a credit voucher for credit on their taxes from within 35 days from the date taxes in the jurisdiction become delinquent for that year to within 40 days from that date.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**✓ SB 712 by Stevens/HB 1112 by Powell - Delinquent property taxes due on parcel.** Allows a purchaser of a parcel subject to delinquent taxes to demand rents or profits from the occupier of the parcel only after the purchaser has made an advance demand for such rents or profits. Makes various revisions regarding delinquent tax proceedings.

**Senate Status:** Referred to State & Local Government.

**House Status:** **Property & Planning Subcommittee passed on 2/20/2019; Set in Local on 2/27/2019.**

**SB 766 by Yarbro/HB 582 by Potts - Taxation of residential property based on tree density.** Requires that tree density to be considered as a factor in determining residential property value and the respective taxation in Davidson and Shelby Counties.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**✓ SB 886 by Niceley/HB 809 by Kumar - Expands definition of agricultural land for purposes of greenbelt property tax program.** Expands definition of agricultural land for purposes of greenbelt property tax program to include two noncontiguous tracts of land within same county totaling at least 15 acres and split only by public or private road.

Fiscal Note: (Dated February 14, 2019) Other Fiscal Impact Due to multiple unknown variables, a precise mandatory recurring decrease in local government revenue beginning in FY20-21 cannot reasonably be determined.

**Senate Status:** Referred to State & Local Government.

**House Status:** **Set in Agriculture & Natural Resources Subcommittee on 2/26/2019.**

**SB 1044 by Yarbro/HB 1397 by Kumar - Recordation tax on transfers to related entities.** Exempts the transfer of real estate from real estate transfer tax when the transferor is a member, stock holder, or partner, the transferee is a limited liability company, corporation, or partnership, and the real estate so conveyed serves as a capital contribution to the business entity.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1090 by Dickerson/HB 648 by Jernigan - Property tax freeze program for persons 65 years of age or older.** Creates real property tax freeze program for persons 65 years of age or older who have lived in their principal residence for 30 years or more when the assessed value of the property increases by 50 percent or more from an established baseline assessed value of the property. Defines "baseline assessed value of the property" to mean the assessed value of a residential property based on the periodic reappraisal of the property that occurred immediately preceding the first periodic reappraisal of the property used to establish that the residential property owner was qualified for the tax freeze program.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 1184 D. White/HB 817 by Helton - Time in which a county board of equalization must complete its assessment reviews.** Deletes reference to a repealed provision to clarify the time in which a county board of equalization must complete its assessment reviews.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 1280 by Pody/HB 1336 by Griffey - Allows electronic submission of revenue records.** Allows the commissioner of revenue to transmit electronically certified copies of records, reports, returns, or schedules with regard to property taxes to authorized requesting officials, bodies, or commissions of political subdivisions.

**Senate Status:** Referred to State & Local Government.

**House Status:** Caption bill held on clerk’s desk.

**SB 1365 by Yager/HB 1356 by Calfee - Tax relief for certain disaster claimants.** Requires any owner who filed a claim against the Tennessee Valley Authority (TVA) for the coal ash spill occurring between December 1, 2008 and January 1, 2009 to not be subject to the typical penalty or interest of delinquent taxes on property. Orders instead that only interest from the delinquency date of the respective tax year at the composite prime rate published by the federal reserve board, minus two points will be implemented.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 1370 by Yager/HB 284 by Leatherwood - Eliminates requirement of a report from the state board of equalization.** Eliminates commissioner's duty to prepare and transmit a report to the general assembly on the first day of its organizational session of the work of the state board of equalization.

**Senate Status:** Referred to State & Local Government.

**House Status:** Caption bill held on clerk’s desk.

**SB 1485 by Bailey/HB 1465 by Windle - Veterans Property Tax Relief Act of 2019.** Establishes the Veterans Property Tax Relief Act of 2019. Requires that market value cap for real property eligible for disabled veteran property tax relief be adjusted every two years to reflect percentage change in consumer price index.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**✓ SJR 3 by Niceley - Constitutional amendment - prohibits state property tax.** Proposes additional language in Article II, Section 28 of the state constitution to prohibit the general assembly from levying, authorizing, or otherwise permitting any state tax on property.

Fiscal Note: (Dated January 31, 2019) Increase State Expenditures $10,000/One-Time

**Senate Status:** **Set in Finance, Ways & Means on 2/26/2019.**

TAXES SALES

**SB 8 by Briggs/HB 5 by Daniel - Eliminates amusement tax on health clubs.** Eliminates the amusement tax on health clubs and fitness facilities. Also eliminates the amusement tax exemption of dues, membership application fees, and admission fees for certain health clubs and fitness facilities.

Fiscal Note: (Dated January 16, 2019) Decrease State Revenue $21,078,400 Decrease Local Revenue $8,601,500

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

**House Status:** Taken off notice in Finance, Ways & Means Subcommittee on 2/20/2019.

**SB 40 by Massey/HB 49 by Zachary - Exemption for tangible personal property sold to a K-12 school during temporary sales period.** Creates a sales and use tax exemption for all tangible personal property or taxable services sold to a K-12 school or school support group during the first five temporary sales periods of a calendar year.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 60 by Gilmore/HB 95 by Shaw - Exemption - feminine hygiene products.** Eliminates the sales tax on feminine hygiene products.

Fiscal Note: (Dated January 25, 2019) Decrease State Revenue Net Impact $13,996,400 Decrease Local Revenue Net Impact $5,711,500

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**✓ SB 82 by Kurita/HB 733 by C. Johnson - Sales made by persons with no physical presence in Tennessee.** Requires a dealer with no physical presence in Tennessee must abide by the state sales tax if sales exceeded $100K or the person made more than 200 separate sales within Tennessee. The tax allocated will be collected by the department of revenue and a portion will be redistributed to the areas where the purchasers of the sales reside.

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

**House Status:** **Set in Finance, Ways & Means Subcommittee on 3/13/2019.**

**SB 218 by Lundberg/HB 1333 by Haston - Eliminates amusement tax exemption on certain fitness facilities.** Eliminates the amusement tax exemption on dues, fees, and equipment rental charges for certain fitness facilities. 🠞***Relative to amusement tax.***🠜

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 237 by Southerland/HB 84 by Hicks - Exemption - services by car wash facilities.** Exempts from sales and use tax any car wash facility where the customer remains in control and custody of the vehicle, and vehicle's wash is primarily completed by the customer or automated equipment.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 382 by Yarbro/HB 382 by Thompson - Exemption - industrial machinery.** Deletes exemption from sales and use tax for industrial machinery. Also deletes credit against franchise and excise tax liability for industrial machinery purchases.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 412 by Stevens/HB 991 by Holt - Fraudulent application for a refund of sales tax paid on appliances bought due to natural disaster.** Increases maximum civil penalty for submitting a fraudulent application for a refund of sales tax paid on appliances bought due to a natural disaster from $25,000 to $25,500.

**Senate Status:** Referred to Finance Revenue Subcommittee.

**House Status:** Caption bill held on clerk’s desk.

**SB 457 by Stevens/HB 992 by Gant - Exemption - sales of gold, silver, platinum, and palladium coins and bullion.** Exempts certain sales of gold, silver, platinum, and palladium coins and bullion from the sales and use tax.

Fiscal Note: (Dated February 12, 2019) Decrease State Revenue Net Impact $360,800 Decrease Local Revenue Net Impact $117,800

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**✓ SB 648 by Kurita/HB 690 by Hodges - Allocates a portion of sales and use tax revenue to certain counties where a new event center is to be constructed.** Allocates a portion of sales and use tax revenue to certain counties in which a new event center is to be constructed.

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

**House Status:** **Set in Finance, Ways & Means Subcommittee on 3/6/2019.**

**✓ SB 713 by Stevens/HB 1271 by Holt - Exemption - agricultural trailers and vehicles.** Exempts from sales and use tax the sale of agricultural trailers and agricultural vehicles.

Amendment: House Finance, Ways & Means Subcommittee amendment 1 (004369) includes agricultural trailers transporting farm products, nursery stock, or equipment, supplies, or products used for agriculture or maintenance of a farm for exemption.

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

**House Status:** **Finance Subcommittee on 2/20/2019 placed behind the budget after adopting amendment 1.**

**✓ SB 786 by J. Johnson/HB 930 by Lamberth - Reports required from certain wholesalers.** Extends reporting requirement to department of revenue by wholesalers of food, candy, or nonalcoholic beverages regarding net sales of such products to retailers by deleting provision that repeals such requirement on July 1, 2019.

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

**House Status:** **Set in Finance, Ways & Means Subcommittee on 2/27/2019.**

**✓ SB 787 by J. Johnson/HB 931 by Lamberth - Delays effective date of streamlined sales tax provision.** Delays effective date of certain streamlined sales tax provisions until from July 1, 2019, to July 1, 2021. 🠞***Administration bill.***🠜

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

**House Status:** **Set in Finance, Ways & Means Subcommittee on 2/27/2019.**

**✓ SB 855 by Crowe/HB 43 by Holsclaw - Revises dates of annual sales tax holiday.** Changes the sales tax holiday from the weekend beginning on the last Friday of July to the weekend beginning on the first Friday of August.

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

**House Status:** **Failed in Finance, Ways & Means Subcommittee on 2/20/2019.**

**SB 864 by Bowling/HB 1086 by Bricken - Exemption - car detailing services.** Exempts car detailing services from sales and use tax.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 925 by Watson/HB 899 by Sparks - Sales tax exemptions on certain periodicals.** Expands the exemption from sales tax to periodicals distributed no less frequently than monthly.

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

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

**SB 920 by Southerland/HB 290 by Hawk - Taxation relative to admissions into certain amusements and events.** Authorizes collection of state amusement tax regardless of whether the sale of ticket occurs outside TN or made by someone with no physical presence in TN. Authorizes a county to levy a tax on the same charge for fees of admission to places of amusement or other recreational events. Defines taxation relative to admission into certain amusements and events.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 946 by Kyle/HB 1213 by Mitchell - Eliminates food tax, increases sin taxes on tobacco.** Eliminates the four percent state sales tax on food for human consumption. Increases the tax on cigarettes from three cents per cigarette to 8.35 cents per cigarette. Increases the tax on other tobacco products from 6.6 percent to 17 percent of the wholesale cost price.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 959 by Yarbro/HB 996 by Beck - Add exemptions for sales tax holiday.** Expands exemption to the annual sales tax holiday to include children's bicycles with a sales price $100 or less.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 960 by J. Johnson/HB 1138 by Lamberth - Report on number of physical fitness facilities from which amusement tax was collected.** Requires the department of revenue to report, by December 1 of each year, the number of physical fitness facilities from which the amusement tax was collected in the previous calendar year to the finance, ways and means committees of the senate and the house of representatives.

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

**House Status:** Referred to Finance, Ways & Means.

**SB 964 by Gilmore/HB 1059 by Clemmons - Exemption - diapers.** Eliminates the sales tax on diapers for infants and children.

Fiscal Note: (Dated February 14, 2019) Decrease State Revenue Net Impact $6,904,800 Decrease Local Revenue Net Impact $2,817,700

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

**House Status:** Finance Subcommittee on 2/20/2019 placed behind the budget.

**SB 1083 by Dickerson/HB 161 by Beck - Sports Authority Appreciation Act.** Names the present law that allows allocation of sales and use tax revenue for the use of certain sports authorities the "Sports Authority Appreciation Act."

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1094 by Dickerson/HB 907 by Freeman - Addresses local option sales tax.** Extends the period that a county or city that held an election on a resolution or ordinance levying a local option sales and use tax that was rejected is prohibited from holding another election on such tax, from six months to one year.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Cities & Counties Subcommittee.

**SB 1099 by Dickerson/HB 330 by M. White - Amusement tax on dues or fees to membership sport and recreation clubs.** Removes amusement tax on dues or fees to membership sports and recreation clubs.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1122 by Lundberg/HB 1312 by Crawford - Municipality property removal - retail tourism.** Updates outdated clause on requirements for apportionment of state sales and use taxes to reflect this year. Establishes that a municipality who elects to remove property from the district with a border region retail tourism district can adjacent property with an equal or lesser amount of acreage by resolution of the municipality. Requires a copy of this resolution to be filed with the commissioner within 60 days of adoption.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 1137 by Swann/HB 779 by Ramsey - Library fundraiser organizations sales taxes.** Increases to $200,000, the maximum amount of annual sales that charitable entities whose primary purpose is fundraising for library system may make to be excluded from the definition of "business" for sales tax purposes. Authorizes such entities to make sales during temporary sales periods that occur fewer than four times per calendar year.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1158 by Jackson/HB 1007 by Carr - Share of state sales and use tax revenue deposited to the state general fund.** Decreases the amount of the share of state sales and use tax revenue deposited to the state general fund from 29.0141 percent to 28.5262 percent. Increases the share amount appropriated to municipalities from 4.6030 percent to 5.0909 percent.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1161 by Kelsey/HB 1461 by Casada - Calculation of personal property and computer software lease or rental price.** Requires a lessee or renter to notify the revenue commissioner if the lease or rental price of tangible personal property and computer software is calculated on a semi-monthly or quarterly basis.

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

**House Status:** Caption bill held on clerk’s desk.

**SB 1309 by Lundberg/HB 1441 by Todd - Notice of tax delinquency given by certified mail.** Authorizes revenue commissioner give notice of the amount of any sales and use tax delinquency by certified mail to all persons possessing or controlling credits or other personal property belonging to the dealer who is delinquent.

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

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

**SB 1330 by Gardenhire/HB 1452 by R. Smith - Amusement tax - sports and recreation clubs.** Removes amusement tax on dues or fees to membership sports and recreation clubs.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1351 by Yager/HB 1359 by Calfee - Reallocates sales and use tax revenues.** Allocates state sales and use tax revenues from the construction of a uranium processing facility that is funded by the U.S. Department of Energy to an eligible industrial development corporation that submits a completed application to the commissioner of finance and administration together with an application fee in an amount established by the department. Establishes requirements for such allocation.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1372 by Yager/HB 427 by Crawford - Exemption from taxation for certain industrial machinery.** Adds to the definition of "industrial machinery" that can be exempted from taxation. Includes maintenance contracts and agreements that are for the maintenance and repair of industrial machinery within the definition.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1455 by Bailey/HB 695 by Russell - Exemption - certain goods sold to certain nonprofit property owners associations.** Exempts sales and use tax for any sales of public safety or public works-related goods to a nonprofit property owners association that has received a determination of exemption from the internal revenue service and that has more than 100 miles of road maintained by the property owners association. No exemption for sales made to an independent contractor with any such exempt association. Requires no dealer sell and no property owners association use tangible personal property under the claim that it is exempt because the user is entitled to an exemption unless the user has issued to it by the commissioner an exemption certificate declaring that such association is entitled to the exemption. If a property owners association uses its exemption authorization to purchase other goods not exempted, the association will be liable for applicable tax, penalty, and interest.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1457 by Bailey/HB 1387 by R. Williams - Remitting of sales tax by out-of-state sellers.** Requires a dealer with no physical presence in the state to collect and remit sales tax as if he or she were in the state if within a 12 month period the dealer's gross revenue from sales made in the state exceeds $100,000 or the dealer made 200 or more separate sales transactions in the state. Any dealer required to collect and remit sales tax must register with the department of revenue. Allows a dealer with no physical presence in the state to choose to pay local tax at the rate of 2.25 percent of the sales price on all sales made in the state. Proceeds of the tax must be distributed to the counties based on the ratio of local tax collections in the county over total tax collections in all counties. Authorizes the department to provide dealers with no physical presence in the state access to sales tax administration software free of charge. Eliminates restriction prohibiting department of revenue from collecting any internet sales or use taxes until a court's ruling has been fully reviewed.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 1460 by Bailey/HB 634 by Halford - Taxation of water used in a farming operation.** Exempts water furnished by a utility district and used exclusively in a farming operation from sales and use tax.

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

CAPTION BILLS

**SB 17 by Haile - Commission retained by county registers for collecting and reporting recordation tax.** Deletes requirement that 52 percent of the five percent commission retained by county registers for collecting and reporting recordation tax must be remitted to state treasurer and credited to state general fund.

Fiscal Note: (Dated January 8, 2019) Decrease State Revenue - $6,726,200 Increase Local Revenue - $6,726,200

**Senate Status:** Held on clerk’s desk.

**SB 34 by Gilmore/HB 10 by Potts - Prospective Employee Credit Information Privacy Act.** Prohibits an employer from failing or refusing to recruit or interview a prospective employee with respect to employment based on that person's credit information. Establishes a private cause of action for persons injured due to violations by employers.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Withdrawn in House on 2/6/2019.

**SB 43 by Massey/HB 180 by Howell - Allows electronic highway project reports.** Allows TDOT to provide general assembly members with electronic or print reports on the status of highway projects. 🠞***Caption bill opening Title 67 relative to transportation.***🠜

**Senate Status:** Referred to Transportation & Safety.

**House Status:** Caption bill held on clerk’s desk.

**SB 44 by Massey/HB 181 by Howell - County or city's certified highway map to be on website.** Requires a county or municipality to publish its certified highway map on the county or municipality's website, which must be accessible to the public, no less than 30 days prior to the date of the public hearing on the map. 🠞***Caption bill opening Titles 55 and 67 relative to transportation.***🠜

**Senate Status:** Referred to Transportation & Safety.

**House Status:** Caption bill held on clerk’s desk.

**SB 45 by Massey/HB 182 by Howell - Requires county commissioners to report details of contracted road work within 60 days.** Requires the county commissioners to report the details of any work they may have had under contract to the county legislative body within 60 days of completion. 🠞***Caption bill opening Title 67 relative to transportation.***🠜

**Senate Status:** Referred to Transportation & Safety.

**House Status:** Caption bill held on clerk’s desk.

**✓ SB 73 by D. White/HB 101 by Wright - Appraisal ratio studies - references to public service commission to be removed.** Deletes reference to the public service commission and replaces it with a reference to the office of state assessed properties in section regarding ratio of appraisals.

**Senate Status:** **Senate passed on 2/21/2019.**

**House Status:** **Set on floor on 2/25/2019.**

**SB 276 by Kurita/HB 237 by Kumar - Orders a study on estimated tax revenue of remote sellers collecting sales tax.** Orders a study to be done by the department of revenue to determine how much tax revenue would be estimated if remote sellers are required to collect sales tax in this state. Requires the study completed by January 1, 2020 and its finding to be reported to the speaker of the senate, the speaker of the house of representatives, and the finance, ways and means committees of both houses. 🠞***Caption bill.***🠜

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

**House Status:** Referred to Finance, Ways & Means Subcommittee.

**SB 333 by Gresham/HB 212 by Gant - Adds sales tax exemptions.** Exempts the sale of platinum, gold, or silver bullion in coin or ingot form from sales tax. Extends sales tax exemption to the sale of numismatic coins that have a sales price of no more than $10,000 and the sale of numismatic coins at a national, statewide, or multi-county numismatic trade show.

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

**House Status:** Withdrawn in House on 2/7/2019.

**SB 429 by Bell/HB 687 by Rudd - Filling vacancies on pest control board.** Decreases time period for reporting and filling vacancies on the pest control board, from 90 days to 60 days.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Caption bill held on clerk’s desk.

**SB 437 by Bell/HB 85 by Hicks - Time-share and vacation club property.** Classifies time-share and vacation club property that includes an interest in real property as residential property. 🠞***Wide open tax caption bill.***🠜

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 495 by Bowling/HB 98 by Howell - Requires publication roster of licensed geologists online.** Requires that the division of geology publish a roster of licensed geologists on the department’s website.

**Senate Status:** Referred to Energy, Agriculture & Natural Resources.

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

**SB 546 by Reeves/HB 1301 by Baum - Disaster relief funds issued by department of revenue.** Requires the commissioner of revenue to annually report the amount of disaster relief refunds issued by the department for the previous calendar year. 🠞***Caption bill.***🠜

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

**House Status:** Caption bill held on clerk’s desk.

**SB 567 by Bowling/HB 630 by Bricken - Authorizes Coffee County to levy privilege of occupancy tax.** Authorizes Coffee County to levy privilege of occupancy tax in any hotel or motel of each transient, not to exceed five percent of the consideration charged to the operator.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Property & Planning Subcommittee.

**SB 573 by Gardenhire/HB 784 by Hicks - Hearings by commissioner.** Changes from within 10 to within 12 days of written request of action complained of that a person shall be afforded an opportunity of a formal hearing before the commissioner of revenue. 🠞***Caption bill.***🠜

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

**SB 657 by Roberts/HB 354 by Calfee - Authority of comptroller to audit.** Extends, from five to 10 business days, the time period in which an entity contracting with the comptroller of the treasury can file a written objection to an audit if the contracting entity contends that it is not subject to audit.

**Senate Status:** Referred to State & Local Government.

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

**SB 685 by Roberts/HB 668 by Daniel - Decreases amount of days for request on the Uniform Administrative Procedures Act.** Decreases amount of days after an adoption of a rule affecting or pertaining to the Uniform Administrative Procedures Act that an interested person can request a concise statement of the principal reasons for the action. 🠞***Caption bill.***🠜

**Senate Status:** Referred to Government Operations.

**House Status:** Referred to Government Operations.

**SB 736 by Watson/HB 89 by M. Daniel - UAPA - rules or regulations affecting small businesses.** Requires state agencies to submit an estimate of total compliance and implementation costs over a three year period on the effects administrative rules and regulations have on small businesses within this state to the members of the joint government operations committees prior to filing the rule. Prohibits and agency from promulgating a rule or regulation if the estimated total compliance and implementation costs over a three-year period that begins on the effective date of the rule or regulation are equal to or greater than $3,000,000, unless there is legislation or modification to the proposed rule or regulation to reduce costs below the threshold.

**Senate Status:** Referred to government Operations.

**House Status:** Withdrawn in the House on 2/6/2019.

**SB 879 by Akbari/HB 589 by Thompson - Includes attendance and voting record of elected officials in definition of public record.** Includes attendance and voting records of elected and appointed officials within definition of "public record or records" or "state record or records" for purposes of the public records laws.

**Senate Status:** Referred to State & Local Government.

**House Status:** Referred to Public Service & Employee Subcommittee.

**SB 895 by Niceley/HB 704 by Vaughan - Annual report from division of property assessment.** Permits the division of property assessment to send the annual report, with the appropriate summary of the work accomplished by the division and any appropriate recommendations, to the state board of equalization in electronic format.

**Senate Status:** Referred to State & Local Government.

**House Status:** Caption bill held on clerk’s desk.

**SB 897 by Niceley - Demanding of jury in judicial review of an administrative hearing under UAPA.** Upon written demand of an aggrieved person, requires the court to hear the judicial review of an administrative hearing under the Uniform Administrative Procedures Act with a trial by jury. Specifies that the court may affirm the decision of the agency or remand the case for further proceedings. Specifies that the court may reverse or modify the decision if the rights of the petitioner have been prejudiced because the administrative findings, inferences, conclusions, or decisions are: A) in violation of constitutional or statutory provisions; (B) in excess of the statutory authority of the agency; (C) made upon unlawful procedure; (D) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or (E) unsupported by evidence. Also authorizes parties to demand a jury in cases for permanent injunction or forfeiture under the Tennessee Food, Drug and Cosmetic Act.

**Senate Status:** Referred to Judiciary.

**SB 1000 by Roberts/HB 1124 by Daniel - UAPA - board for licensing contractors.** Clarifies that the board for licensing contractors must promulgate rules in accordance with the Uniform Administrative Procedures Act.

**Senate Status:** Referred to Government Operations.

**House Status:** Caption bill held on clerk’s desk.

**SB 1032 by Yarbro/HB 1345 by Mitchell - Electronic revenue report filing - petroleum and gas terminal operators.** Allows gas and petroleum terminal operators to file their report with the revenue department electronically. 🠞***Caption bill.***🠜

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

**House Status:** Caption bill held on clerk’s desk.

**SB 1048 by Kyle/HB 1062 by Clemmons - Deduction on return for sales tax collected but not remitted.** Reduces from 90 to 60 days, the period in which a dealer via signed statement can deduct on a return sales tax collected but not yet remitted to the commissioner of revenue for refunded items.

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

**House Status:** Caption bill held on clerk’s desk.

**SB 1087 by Dickerson/HB 1285 by Farmer - Requirements for executive director of real estate commission.** Deletes requirement that the executive director of the real estate commission have passed the real estate broker's examination.

**Senate Status:** Referred to Commerce & Labor.

**House Status:** Referred to Business Subcommittee.

**SB 1112 by Stevens/HB 1266 by Holt - Electronic submission - tax credits on job and gross premium taxes report.** Authorizes electronic submission of the report from the commissioner of revenue to the finance, ways and means committees of the senate and the house regarding tax credits claimed for the gross premiums tax and job tax. 🠞***Caption bill.***🠜

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

**House Status:** Caption bill held on clerk’s desk.

**SB 1233 by Jackson - Notification to county property assessor regarding release of public records.** Extends the deadline from 10 days to 15 days by which a state agency releasing public records originating in the office of a county property assessor must notify the property assessor of the release.

**Senate Status:** Referred to State & Local Government.

**SB 1462 by Bailey/HB 1410 by Sherrell - Requires plain language for tax applications and notices.** Adds that applications and notices must be written in plain language under the Taxpayer Bill of Rights.

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

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