

Legislative Report

Council on Children's Mental Health

February 26, 2019

CAMPAIGNS & LOBBYING

SB503/HB768 Requires conducting of supplemental voter registration at high schools in the fall and spring.

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary: Requires county election commissions conduct a supplemental registration at public and private high schools once each fall and spring semester. Authorizes high schools to provide opportunities for students to register to vote online at times other than the supplemental registrations.

Senate Status: 02/26/19 - Senate State & Local Government Committee deferred to next Elections Calendar.

House Status: 02/11/19 - Referred to House Elections & Campaign Finance Subcommittee.

CORRECTIONS

SB655/HB1185 Juvenile Justice Stop Solitary Confinement Act.

Sponsors: Sen. Robinson, Katrina , Rep. Chism, Jesse

Summary: Declares that no juvenile detention facility shall place a minor offender in solitary confinement unless solitary is used as a last means once all other less restrictive options have been exhausted or they are considered to be a serious security risk. Establishes that if a minor is placed into solitary, its will be no more than seven days, at a maximum of twenty-two hours per day. Requires a weekly report of each juvenile detention facility participating in solitary confinement programs.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Corrections Subcommittee.

SB956/HB1189 Free phone calls between minor and parent or guardian.

Sponsors: Sen. Yarbro, Jeff , Rep. Chism, Jesse

Summary: Requires youth development centers, jails, and the department of correction to provide telephone services at no cost for calls between minors and their parents or guardians.

Senate Status: 02/25/19 - Senate passed.

House Status: 02/13/19 - Referred to House Corrections Subcommittee.

SB1340/HB1498 Inpatient treatment for certain persons being released from custody of corrections facility.

Sponsors: Sen. White, Dawn , Rep. Lamberth, William

Summary: Permits a court to commit a person scheduled to be released from a correctional facility to the custody of the commissioner of mental health and substance abuse services for inpatient treatment based on clear and convincing evidence that the person poses a substantial likelihood of serious harm if released from custody. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

CRIMINAL LAW

SB18/HB285 **Extends the statutes of limitation for certain sexual offenses committed against children.**

Sponsors: Sen. Massey, Becky , Rep. Coley, Jim

Summary: Extends the statutes of limitation for certain sexual offenses committed against children, including rape of a child and aggravated rape of a child, when the crime was not reported to law enforcement within three years of the offense.

Senate Status: 01/19/19 - Referred to Senate Judiciary Committee.

House Status: 02/05/19 - Referred to House Criminal Justice Subcommittee.

SB24/HB17 **Use of force by a minor who is victim of a sexual offense.**

Sponsors: Sen. Gilmore, Brenda , Rep. Lamar, London

Summary: Gives the presumption that a minor who is the victim of a sexual offense and used force against the offender had a reasonable belief that the force is immediately necessary to avoid imminent death or serious bodily injury.

Senate Status: 01/19/19 - Referred to Senate Judiciary Committee.

House Status: 02/20/19 - House Criminal Justice Subcommittee deferred to summer study.

SB69/HB310 **Release eligibility for minor who commits first degree murder.**

Sponsors: Sen. Robinson, Katrina , Rep. Thompson , Dwayne

Summary: Reduces from 51 years to 25 years the time required to serve before a minor who committed first degree murder can become release eligible. This will affect said crime offenses committed on or after July 1, 2019.

Senate Status: 01/30/19 - Referred to Senate Judiciary Committee.

House Status: 02/05/19 - Referred to House Criminal Justice Subcommittee.

SB169/HB309 **Statute of limitations on child sexual abuse crimes.**

Sponsors: Sen. Robinson, Katrina , Rep. Thompson , Dwayne

Summary: Eliminates the civil statute of limitations on child sexual abuse, while eliminating and extending the statute of limitations on certain child sexual abuse crimes including rape, promotion of prostitution, and sexual battery among other crimes.

Senate Status: 02/06/19 - Withdrawn in Senate.

House Status: 02/06/19 - Withdrawn in House.

SB258/HB260 **Offense of reckless endangerment.**

Sponsors: Sen. Kyle, Sara , Rep. Johnson, Gloria

Summary: Expands the offense of reckless endangerment to include a person's reckless failure to render inoperable or safely secure or lock a firearm and ammunition for the firearm, resulting in a child under 13 years of age gaining possession of the firearm and resulting in bodily injury or death of the child or another person.

Senate Status: 02/01/19 - Referred to Senate Judiciary Committee.

House Status: 02/01/19 - Referred to House Criminal Justice Subcommittee.

SB280/HB764 **Increase age restrictions for tobacco and vapor-related products.**

Sponsors: Sen. Kurita, Rosalind , Rep. Rudder, Iris

Summary: Increases age restrictions for tobacco and vapor-related products from 18 years of age to 21 years of age.
Senate Status: 02/26/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/11/19 - Referred to House Public Health Subcommittee.

SB290/HB283 Increases the punishment for a conviction of aggravated rape of a child.

Sponsors: Sen. White, Dawn , Rep. Littleton, Mary
Summary: Increases the punishment for a conviction of aggravated rape of a child to life in prison without the possibility of parole. Current law specifies that aggravated rape of a child is a Class A felony with the punishment for conviction as being sentenced to 15 to 60 years in prison and a fine of up to \$50,000.
Senate Status: 02/04/19 - Referred to Senate Judiciary Committee.
House Status: 02/01/19 - Referred to House Criminal Justice Subcommittee.

SB301/HB1456 Prohibits smoking and vaping in cars when a child in a safety seat is present.

Sponsors: Sen. Kurita, Rosalind , Rep. Ramsey, Bob
Summary: Prohibits smoking and vaping in a motor vehicle when a child who is secured in a child safety seat or required to be secured in a child safety seat is present in the vehicle.
Senate Status: 02/26/19 - Failed in Senate Commerce & Labor Committee for lack of a motion.
House Status: 02/13/19 - Referred to House Public Health Subcommittee.

SB353/HB321 Establishes an education training curriculum for law enforcement officers on diversity.

Sponsors: Sen. Gardenhire, Todd , Rep. Hakeem, Yusuf
Summary: Establishes a education training curriculum and certificate of compliance for law enforcement officers on diversity. Requires law enforcement to complete specified training by July 1, 2021 or within six months of the officer's date of employment.
Senate Status: 02/04/19 - Referred to Senate Judiciary Committee.
House Status: 02/05/19 - Referred to House Public Service & Employee Subcommittee.

SB368/HB286 Statute of limitations - sexual offenses against children.

Sponsors: Sen. Massey, Becky , Rep. Coley, Jim
Summary: Deletes the statute of limitations for prosecution of certain Class A or Class B felony sexual offenses committed against a child on or after July 1, 2019. Also deletes a provision that sets a lower statute of limitations for aggravated rape, rape of a child, rape, and aggravated rape of a child if notice of the offense is not given to law enforcement within three years of the offense.
Senate Status: 02/19/19 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.
House Status: 02/13/19 - Taken off notice in House Criminal Justice Subcommittee.

SB425/HB407 Residential, work, and treatment restrictions on sexual offenders whose victims are minors.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay
Summary: Increases the prohibited distance from a school, child care facility, public park, recreation center, or former victim's residence that a violent sexual offender can knowingly establish a residence from 1,000 feet to 2,000 feet. Adds restriction that if the offender has been convicted of a sexual offense or violent sexual offense where the victim was a child under 12

years of age, then the offender may not conduct an overnight visit at a residence in which a minor resides or is present.

Senate Status: 02/06/19 - Referred to Senate Judiciary Committee.

House Status: 02/06/19 - Referred to House Criminal Justice Subcommittee.

SB472/HB677 Reporting of person judicially committed for mental illness to determine eligibility to purchase firearm.

Sponsors: Sen. Haile, Ferrell , Rep. Garrett, Johnny

Summary: Requires clerks to report the race, sex, and social security number of a person judicially committed for mental illness to the FBI-NCIS index and department of safety to determine eligibility for person to purchase firearms. Requires such information to be confidential.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

SB487/HB574 Reporting sexual abuse of a minor.

Sponsors: Sen. Bowling, Janice , Rep. Faison, Jeremy

Summary: Changes the age that triggers the requirement that a physician report suspected sexual abuse of a minor who is seeking an abortion from under 13 years of age to under 18 years of age.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Criminal Justice Subcommittee.

SB577/HB193 Expunction of multiple convictions resulting from being a victim of human trafficking.

Sponsors: Sen. Gardenhire, Todd , Rep. Carter, Mike

Summary: Allows for a petitioner who has multiple, nonviolent convictions resulting from being a victim of human trafficking to be expunged by the court if deemed to be in the best interest of justice. If denied, there shall be no petition filed for at least two years.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 02/01/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

SB584/HB622 Requires notice of juvenile sexual offender requirements to charged children.

Sponsors: Sen. Lundberg, Jon , Rep. Hulsey, Bud

Summary: Requires that a child who is charged with a delinquent act that could qualify the child as a violent juvenile sexual offender must be given notice of the violent juvenile sexual offender registration requirements at least 48 hours in advance of a hearing on whether the child committed such act.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Criminal Justice Subcommittee.

SB592/HB112 Removes statute of limitations on Class A or B felony sexual offenses committed against children.

Sponsors: Sen. Reeves, Shane , Rep. Sparks, Mike

Summary: Removes statute of limitations on Class A or B felony sexual offenses committed against children.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 01/30/19 - Referred to House Criminal Justice Subcommittee.

- SB597/HB972** **Communicating a threat of public harm.**
Sponsors: Sen. Lundberg, Jon , Rep. Littleton, Mary
Summary: Creates the Class C felony offense of communicating a threat of public harm. Authorizes juvenile detention for juveniles communicating a threat of public harm.
Senate Status: 02/21/19 - Set for Senate Judiciary Committee 02/26/19.
House Status: 02/11/19 - Referred to House Criminal Justice Subcommittee.
- SB659/HB1168** **Illegal use of narcotics while pregnant.**
Sponsors: Sen. Bowling, Janice , Rep. Weaver, Terri
Summary: Authorizes assault prosecution for illegal use of a narcotic drug while pregnant if the child is born addicted to or harmed by the narcotic drug. Provides addiction recovery program enrollment while pregnant and successful completion of the program as an affirmative defense.
Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.
House Status: 02/13/19 - Referred to House Criminal Justice Subcommittee.
- SB677/HB881** **Drug Treatment Instead of Incarceration Act.**
Sponsors: Sen. Gilmore, Brenda , Rep. Dixie, Vincent
Summary: Declares that the court will direct that a clinical assessment is performed of all persons charged with a nonviolent drug offense, with their consent. Establishes that first-time offenders will be ordered to complete a rehabilitative drug treatment program and that the offender may be prosecuted to an increased extent if a multiple time offender. Declares that prosecution of a felony or nonviolent crime will move forward in event of failure of the rehabilitation course. Creates the Substance Abuse Treatment Trust Fund to administer the provisions of the act along with a study of the effectiveness of these programs.
Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.
House Status: 02/11/19 - Referred to House Criminal Justice Subcommittee.
- SB738/HB1419** **Raises minimum age to purchase tobacco or vape products.**
Sponsors: Sen. Kyle, Sara , Rep. Towns Jr., Joe
Summary: Increases the minimum age from 18 to 21 to purchase any tobacco or vapor products. Creates a Class C misdemeanor offense of selling or distributing any flavored electronic cigarettes. Creates a rebuttable presumption that an electronic cigarette is flavored if a manufacturer or any of the manufacturer's agents or employees has made a statement or claim directed to consumers or to the public that the electronic cigarette has or produces a characterizing flavor, including, but not limited to, text, color, or images on the product's labeling or packaging that are used to explicitly or implicitly communicate that the electronic cigarette has a characterizing flavor. Increases the tax rate on cigarettes by 1.25 cents per cigarette.
Senate Status: 02/26/19 - Senate Commerce & Labor Committee deferred to last calendar.
House Status: 02/13/19 - Referred to House Public Health Subcommittee.
- SB813/HB801** **Leaving a firearm or firearm ammunition unattended.**
Sponsors: Sen. Akbari, Raumesh , Rep. White, Mark
Summary: Creates a Class A misdemeanor offense of leaving a firearm or firearm ammunition unattended with a minor in a motor vehicle or boat, if the firearm is not securely locked away.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

SB842/HB876 Parole eligibility - juveniles.

Sponsors: Sen. Akbari, Raumesh , Rep. White, Mark

Summary: Declares that if a person was sentenced when less than 18 years of age, the first eligibility for parole will occur after 30 years of service if the sentence was over 30 years. Authorizes parolee eligibility after 20 years on the conditions of a HiSET(R) credential, unless a high school diploma has been obtained, one year of a job program, has positive habits and behavior, compiled with rehab services, and proved good character. Prohibits sentencing persons to life without parole for crimes committed when a juvenile.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

SB849/HB1459 Raises age to access or use tobacco and vape products.

Sponsors: Sen. Hensley, Joey , Rep. Gant, Ron

Summary: Raises the age to access or use tobacco and vapor products from 18 to 21 years of age.

Senate Status: 02/26/19 - Senate Commerce & Labor Committee deferred to last calendar.

House Status: 02/21/19 - Set for House Public Health Subcommittee 02/27/19.

SB954/HB1035 Statutes of limitation for actions based on child sexual abuse.

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

Summary: Extends the statute of limitations for civil actions based on child sexual abuse to five years from discovery of the abuse.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Children & Families Subcommittee.

SB985/HB1449 Community-based sentencing alternatives for primary caregivers.

Sponsors: Sen. Gilmore, Brenda , Rep. Camper, Karen

Summary: Declares that, notwithstanding any law to the contrary, if a person was convicted of a nonviolent offense and is the primary caretaker of a dependent child, the court may impose an individually assessed sentence without imprisonment, focused on parent-child unity and support. Establishes conditions that may be followed in the ruling including anger management courses, drug and alcohol treatment, and financial literacy courses. Specifies that a person serving an individually assessed sentence may be required to appear in court to review their progress of the program.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Criminal Justice Subcommittee.

SB1124/HB1455 First degree murder sentencing if defendant had severe mental illness.

Sponsors: Sen. Briggs, Richard , Rep. Ramsey, Bob

Summary: Prohibits a court from sentencing a defendant convicted of first degree murder to death if the defendant proves by a preponderance of the evidence that, at the time of the offense, the defendant had a severe mental illness. Defines "severe mental illness" to mean symptoms of psychosis shown by hallucinations, extremely disorganized thinking, or other significant disruptions of consciousness, memory, and perception that are not attributable solely to

repeated criminal conduct or the acute effects of the intentional use of alcohol or other drugs and a documented medical history of one or more of the following mental disorders: schizophrenia; schizoaffective disorder; bipolar disorder with psychosis; major depressive disorder with psychosis; or delusional disorder.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Criminal Justice Subcommittee.

SB1131/HB140 Extends statute of limitations on certain child sexual assault cases.

Sponsors: Sen. Swann, Art , Rep. Powell, Jason

Summary: Extends statute of limitations on child sexual assault cases where crime was not reported to law enforcement within three years of the occurrence.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - House Criminal Justice Subcommittee deferred to last calendar.

SB1134/HB838 Violations of TN Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act.

Sponsors: Sen. Swann, Art , Rep. Russell, Lowell

Summary: Adds conviction of a new sexual offense as violation of the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Criminal Justice Subcommittee.

SB1163/HB1340 Violating a no contact order issued to a domestic violence victim.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay

Summary: Creates a Class A misdemeanor of violating a no contact order issued to a domestic violence victim.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Criminal Justice Subcommittee.

SB1200/HB1454 Raises age limit of persons allowed to use tobacco and vape products.

Sponsors: Sen. Reeves, Shane , Rep. Ramsey, Bob

Summary: Increases age of persons allowed to use tobacco and vapor products from 18 years of age to 21 years of age.

Senate Status: 02/26/19 - Senate Commerce & Labor Committee deferred to final calendar.

House Status: 02/13/19 - Referred to House Public Health Subcommittee.

SB1252/HB565 Statute of limitations for certain acts of abuse against minors.

Sponsors: Sen. Gresham, Dolores , Rep. Dunn, Bill

Summary: Extends civil and criminal statute of limitations for certain acts of abuse against minors. Increases the penalty for intentional reporting failures regarding child abuse or child sexual abuse.

Amendment Summary: Senate Judiciary Committee amendment 1 (004426) changes 30 years to 15 years for civil actions.

Senate Status: 02/19/19 - Senate Judiciary Committee recommended with amendment 1 (004426), which changes 30 years to 15 years for civil actions. Sent to Senate Calendar Committee.

House Status: 02/11/19 - Referred to House Criminal Justice Subcommittee.

SB1297/HB1151 Expands the offense of indecent exposure.

Sponsors: Sen. Pody, Mark , Rep. Ragan, John

Summary: Expands the offense of indecent exposure to include incidents occurring in a restroom, locker room, dressing room, or shower if the offender is a member of the opposite sex than the sex designated for.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Criminal Justice Subcommittee.

SB1301/HB1176 Notification regarding off duty law enforcement officer possessing firearm on school grounds.

Sponsors: Sen. Pody, Mark , Rep. Weaver, Terri

Summary: Removes requirement that an off-duty law enforcement officer notify principal or other administrative staff if present on school grounds during regular school hours and in possession of a firearm.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Public Service & Employee Subcommittee.

SB1326/HB1320 School notification of certain adjudicated delinquent offenses.

Sponsors: Sen. Bowling, Janice , Rep. Eldridge, Rick

Summary: Adds that all offenses listed are situations where the court must notify the child's school if there is delinquent adjudication. Establishes the parents, guardians, or legal custodians, including the department of children's services acting in any capacity must provide notification if a student has committed certain offenses in this state or another state.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Criminal Justice Subcommittee.

SB1402/HB754 Firearm prohibitions for persons suffering from mental illness.

Sponsors: Sen. Bell, Mike , Rep. Smith, Robin

Summary: Prohibits certain persons voluntarily admitted to a mental health treatment facility from possessing a firearm.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

EDUCATION

SB50/HB60 Early learning programs.

Sponsors: Sen. Gresham, Dolores , Rep. Dunn, Bill

Summary: Requires the department of education to create a three-year early learning pilot program, to begin in the 2019-2020 school year, to identify early learning programs or models that provide opportunities for quality early childhood education and improvement in student outcomes. Requires the pilot program to be funded through a system of competitive grants utilizing voluntary pre-kindergarten funding. Specifies that grants are to be awarded by the department of education to no more than five LEAs that create a program as approved by the department that implements an early learning program to serve economically disadvantaged students from birth through the third grade, in lieu of the LEA operating a voluntary

prekindergarten program.

Senate Status: 01/28/19 - Referred to Senate Education Committee.

House Status: 02/26/19 - Taken off notice in House Education Curriculum, Testing & Innovation Subcommittee.

SB58/HB94 Tennessee Outdoor Education and Recreation Grant Program.

Sponsors: Sen. Gilmore, Brenda , Rep. Halford, Curtis

Summary: Creates the Tennessee Outdoor Education and Recreation Grant Program, which provides opportunities for public agencies, private NGOs, school programs and community-based programs focused on environmental, agricultural, or other natural resource-based education and recreation programs to receive grants. Specifies that funds for the grant will be appropriated by the general assembly and will be disbursed to the commissioner of education to be expended for program purposes.

Senate Status: 01/30/19 - Referred to Senate Education Committee.

House Status: 01/30/19 - Referred to House Education K-12 Subcommittee.

SB62/HB499 Education of students incarcerated in juvenile detention centers.

Sponsors: Sen. Robinson, Katrina , Rep. Eldridge, Rick

Summary: Requires department of education to establish procedures for providing instruction to students incarcerated in detention centers for a minimum of four hours each instructional day.

Senate Status: 02/21/19 - Set for Senate Education Committee 02/27/19.

House Status: 02/06/19 - Referred to House Education Curriculum, Testing & Innovation Subcommittee.

SB64/HB402 Participation in adverse childhood experiences (ACEs) training.

Sponsors: Sen. Robinson, Katrina , Rep. Staples, Rick

Summary: Directs each board of education to require adverse childhood experiences (ACEs) training for all K-12 teachers, principals, and assistant principals employed by the Local Education Agency (LEA). Requires ACE training on an annual basis before the first day of instruction. Allows for the policy to either adopt the department of education ACE training guidelines or for each LEA to adopt their own ACE training program.

Senate Status: 02/21/19 - Set for Senate Education Committee 02/27/19.

House Status: 02/06/19 - Referred to House Education K-12 Subcommittee.

SB170/HB405 Requires an adverse childhood experiences (ACEs) assessment before suspending or expelling a child.

Sponsors: Sen. Robinson, Katrina , Rep. Love Jr., Harold

Summary: Requires each board of education to adopt a policy where an adverse childhood experiences (ACEs) assessment must be done before expelling, suspending, assigning in-school suspension, or ordering a student to attend another school. Establishes reports of suspension and expulsion must include and consider ACE assessments. The LEA is required to conduct an ACE assessment when considering disciplinary action if one has not been made within one calendar year.

Senate Status: 02/01/19 - Referred to Senate Education Committee.

House Status: 02/21/19 - Set for House Education K-12 Subcommittee 02/27/19.

- SB270/HB210 Appropriations for an LEA with prekindergarten children with disabilities.**
Sponsors: Sen. Kelsey, Brian , Rep. Leatherwood, Tom
Summary: Establishes that prekindergarten programs operated by an LEA for children with disabilities shall receive annual appropriations in concurrence with the commissioner of education recommending a funding amount per classroom.
Senate Status: 02/01/19 - Referred to Senate Education Committee.
House Status: 02/01/19 - Referred to House Education Administration Subcommittee.
- SB298/HB59 Reduces the amount of time a physical education teacher must teach a physical education class.**
Sponsors: Sen. Akbari, Raumesh , Rep. Dunn, Bill
Summary: Reduces the required duration of supervision from 60 minutes to 30 minutes that a physical education teacher must teach a physical education class. Any remaining or additional class time can be taught by a licensed teacher with an endorsement in elementary education in collaboration with the physical education teacher. Does not require physical education teacher be present for the additional class time.
Senate Status: 02/04/19 - Referred to Senate Education Committee.
House Status: 02/12/19 - Taken off notice in House Education Curriculum, Testing & Innovation Subcommittee.
- SB327/HB619 Creation of a coaching network for pre-k and kindergarten teachers.**
Sponsors: Sen. Kelsey, Brian , Rep. White, Mark
Summary: Requires the department of education to create and administer a coaching network for pre-kindergarten and kindergarten teachers with the goals of assisting teachers and improving students' abilities. Requires department of education to ensure the availability of early childhood consultants regionally, throughout the state.
Senate Status: 02/04/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Referred to House Education K-12 Subcommittee.
- SB330/HB1244 Physical education classes.**
Sponsors: Sen. Hensley, Joey , Rep. Byrd, David
Summary: Decreases the number of physical education class meetings an LEA must require elementary school students to attend each full school week from "at least two" to "at least one."
Amendment Summary: House Education Curriculum, Testing & Innovation Subcommittee amendment 1 (004204) cuts original minimum physical education proposed for students from 60 minutes to 45 minutes and from two days to one day per week.
Senate Status: 02/04/19 - Referred to Senate Education Committee.
House Status: 02/26/19 - House Education Curriculum, Testing & Innovation Subcommittee recommended with amendment 1 (004204), which cuts original minimum physical education proposed for students from 60 minutes to 45 minutes and from two days to one day per week. Sent to full committee.
- SB442/HB91 Evaluation of pre-kindergarten and kindergarten teachers.**
Sponsors: Sen. Bell, Mike , Rep. Hicks, Gary
Summary: Allows LEAs that receive pre-kindergarten approval to now utilize an alternative academic growth indicator approved by the state board of education and adopted by the LEA instead of

only being authorized to use the pre-k/kindergarten growth portfolio.
Senate Status: 02/06/19 - Referred to Senate Education Committee.
House Status: 01/30/19 - Referred to House Education Curriculum, Testing & Innovation Subcommittee.

SB516/HB586 Residential housing at higher education institutions for students with intellectual disabilities.

Sponsors: Sen. Massey, Becky , Rep. Staples, Rick
Summary: Prohibits eligible postsecondary institutions, for purposes of proceeds from state lottery, from denying a student residential housing on the campus of, or in affiliation with, the eligible postsecondary institution solely because of the student's award of a Tennessee STEP UP scholarship.
Senate Status: 02/21/19 - Set for Senate Education Committee 02/27/19.
House Status: 02/11/19 - Referred to House Higher Education Subcommittee.

SB538/HB566 Report on education funding for children in state custody.

Sponsors: Sen. Lundberg, Jon , Rep. Dunn, Bill
Summary: Requires the education department annually report the total amount of education funding paid to each state agency responsible for the education of a child in state custody for the immediately preceding school year and to provide the report to the chairs of the education committees of the general assembly by October 1 of each year.
Senate Status: 02/07/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Referred to House Education Administration Subcommittee.

SB599/HB1160 Annual report on methods of enforcing the employment standards for school resource officers.

Sponsors: Sen. Haile, Ferrell , Rep. Ogles, Brandon
Summary: Permits and LEA to submit the annual report on methods of enforcing the employment standards for school resource officers to the commissioner of education in electronic format. Broadly captioned.
Senate Status: 02/07/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Caption bill held on House clerk's desk.

SB604/HB664 Alternative education for students who have been expelled.

Sponsors: Sen. Robinson, Katrina , Rep. Parkinson, Antonio
Summary: Requires students are in grades seven through 12 who have been expelled to attend an alternative school. Requires the governing body of a public charter school to establish an alternative educational setting for students who have been suspended from the regular school program. Prohibits a charter school from expelling a student from school attendance until after the student has been placed in an alternative educational setting.
Senate Status: 02/07/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Referred to House Education Curriculum, Testing & Innovation Subcommittee.

SB606/HB827 Tennessee Hunger-Free Students Act.

Sponsors: Sen. Robinson, Katrina , Rep. Clemmons, John
Summary: Requires schools provide in school enrollment packets meal application forms, if schools are aware of students eligible for free or reduced-price meals and their guardians have not filed

the meal application forms, schools are required to file meal application forms for them. Requires all homeless students be provided free meals. Requires schools provide reimbursable meals to students who request them, requires, when students owe a meal debt for five or more meals, school districts verify whether the student is eligible for free or reduced-price meals, attempt to reach the student's parent or guardian and have them fill out a meal application, and a principal, assistant principal, or counselor contact the student's parent or guardian to offer assistance with filling out a meal application, or to determine whether other issues are present within the student's household that may be causing the student to have insufficient funds to purchase school meals and offer any assistance that may be appropriate. Prohibits certain punishments to students unable to pay for meals including, but not limited to, publicly identifying or stigmatizing students unable to pay for meals, requiring students to do chores as payment for meals, or prohibiting students from participating in graduation ceremonies, school related activities, or receiving a diploma. Prohibits schools from holding students personally responsible for meal debt or requiring parents or guardians from paying fees from collection agencies.

Senate Status: 02/07/19 - Referred to Senate Education Committee.

House Status: 02/21/19 - Set for House Education K-12 Subcommittee 02/27/19.

SB670/HB802 Alternative graduation pathways for public high school students.

Sponsors: Sen. Hensley, Joey , Rep. Haston, Kirk

Summary: Requires the state board of education, in consultation with the department of education, THEC, and the board of regents of the state university and community college system, to develop and adopt two alternative graduation pathways for public high school students, one designated the college preparatory track and one designated the technology track, to be implemented in all public high schools beginning with the 2020-2021 school year.

Senate Status: 02/07/19 - Referred to Senate Education Committee.

House Status: 02/11/19 - Referred to House Education Curriculum, Testing & Innovation Subcommittee.

SB752/HB1247 Employees carrying a concealed weapon on school property.

Sponsors: Sen. Hensley, Joey , Rep. Byrd, David

Summary: Deletes requirement that Wayne County and Pickett County be defined as distressed rural counties for purposes of being considered eligible counties to select employees to carry concealed handguns on school property.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 02/20/19 - Referred to House Education K-12 Subcommittee.

SB763/HB1000 Homeless-student liaison to assist homeless students.

Sponsors: Sen. Yarbrow, Jeff , Rep. Beck, Bill

Summary: Designates a staff member who is employed in the financial aid office to serve as a homeless-student liaison. Defines responsibilities as studying the provisions of financial aid eligibility of homeless students and identifying services available and appropriate to these students. Requires the liaison to help these students in applying for aid and to develop plans to provide homeless students access to housing resources offered by the institution.

Senate Status: 02/07/19 - Referred to Senate Education Committee.

House Status: 02/13/19 - Referred to House Higher Education Subcommittee.

SB790/HB934 Revises special education laws.

Sponsors:

Sen. Johnson, Jack , Rep. Lamberth, William

Summary:

Redefines "special education" and child with disability" or "children with disabilities." Specifies that every child with a disability is entitled to free appropriate public education (FAPE). Specifies that each LEA is responsible for ensuring that every child with a disability receives special education and related services designed to meet the child's unique needs. Defines "related services" to include transportation and developmental, corrective, and other supportive services, school health services, social work services in schools, parent counseling and training, in addition to other services that may be approved by the state board of education. Requires a child with a disability to be educated in the least restrictive environment. Clarifies that special classes, separate schooling, or other removals of a child with a disability from the regular educational environment must occur only when the student's IEP determines that the nature of the child's disability is such that education in a regular classroom setting with the use of supplementary aids and services cannot be achieved. Requires the department of education to enforce the IDEA and the state's special education laws. Requires the state board of education, in consultation with the department of education, to take necessary action to: (1) adopt standards for teachers and other personnel providing instruction or educational services to children with disabilities; (2) adopt the evaluation procedures and eligibility criteria for children with disabilities; and (3) cooperate with other state agencies, organizations, and institutions that are concerned with the health, education, and welfare of children with disabilities. Allows LEAs to contract with other LEAs to provide services for children with disabilities. In such instances, clarifies that the LEA in which the child is enrolled shall continue to be responsible for ensuring that the child receives the special education and related services in accordance with the IDEA. Requires agreements or contracts pursuant to this section to be in writing and specifies that such agreements may include the provision of special education and related services, payment of reasonable costs associated with the services, or other related costs. Allows a parent or legal guardian to request the LEA to conduct a full or individualized evaluation of the child to determine if the child has a disability and is eligible for special education services. Requires the identification, location, and evaluation of children with disabilities to be conducted in accordance with the IDEA, the state's special education laws, and the state board of education's rules. Revises language regarding denial of BEP funding for noncompliance with the special education statutes. Make various other changes regarding special education. (22 pp.)

Amendment

Summary:

Senate Education Committee amendment 1 (004405) replaces and adds language to the original bill that clarifies the state's legislative intent pursuant to the delivery of special education services. Expands the definition of children with disabilities by listing additional qualifying impairments and disabilities. Adds to the definition of related services required to assist a child with a disability in order to benefit from special education. House Education Curriculum, Testing & Innovation amendment 2 (004669) expands the disabilities identified under the definition of "a child with disabilities". Specifies that a transition will include integration in the work place, while establishing that a child with a disability turning 22 years of age between the commencement and conclusion of the school year will continue to be a child with a disability for the remainder of the school year.

Senate Status:

02/25/19 - Senate deferred to 03/07/19.

House Status:

02/26/19 - House Education Curriculum, Testing & Innovation Subcommittee recommended with amendment 1 (004669), which clarifies disabilities including functional delayed and ability. Specifies a transition will include integration in the work place. Sent to full committee.

- SB803/HB947** **Funding programs that address school safety.**
Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Requires the school safety center to establish school safety grants to assist LEAs in funding programs that address school safety. Requires the LEA describe how funds would be applied towards improving and supporting school safety, addressing needs identified in a school safety assessment, and supporting the LEA's authorized charter schools, if applicable. Requires funding be made available to LEA's in the same percentage as the LEA's share of statewide BEP funding. Requires funding be subject to a twenty-five percent match by the LEA, adjusted for the LEA's fiscal capacity, which may be satisfied by local or contributed funds or by personnel or other in-kind expenses assumed by the LEA. Requires appropriated, unexpended funds be carried forward for program purposes in future fiscal years. Allocations for an LEA that are not applied for, or not successfully applied for in any fiscal year cannot be carried forward for the benefit of that LEA in subsequent fiscal years, but must instead be carried forward for future expenditures under this program in future fiscal years. Requires the school safety center reserve funds for, and give school safety grant awarding priority to, LEAs with schools that did not have a full-time school resource officer during the 2018-2019 school year.
- Senate Status:* 02/07/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Referred to House Education K-12 Subcommittee.
- SB819/HB766** **School personnel to receive implicit bias in-service training annually.**
Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold
Summary: Requires all school personnel to receive implicit bias in-service training annually. Requires the department of education to develop a model evidence-based, bias reducing in-service training program for school personnel that may be used by LEAs to provide the required training. Also requires students desiring a license to teach to pass a course of implicit bias training.
- Senate Status:* 02/11/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Referred to House Education Administration Subcommittee.
- SB820/HB767** **Requires in-service training in restorative justice discipline practices for LEA employees.**
Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold
Summary: Requires in-service training in restorative justice discipline practices for all employees of an LEA. Requires the development of courses educating children on restorative justice discipline practices at appropriate grade levels.
- Senate Status:* 02/11/19 - Referred to Senate Education Committee.
House Status: 02/21/19 - Set for House Education K-12 Subcommittee 02/27/19.
- SB823/HB379** **Pregnancy as approved medical leave for TN HOPE scholarship purposes.**
Sponsors: Sen. Akbari, Raumesh , Rep. Lamar, London
Summary: Requires TSAC to promulgate rules designating pregnancy as an approved medical or personal leave of absence for purposes of the Tennessee HOPE scholarship.
- Senate Status:* 02/11/19 - Referred to Senate Education Committee.
House Status: 02/26/19 - House Higher Education Subcommittee deferred to summer study.

- SB831/HB689 Eligibility for the Tennessee HOPE scholarship for students who become pregnant.**
Sponsors: Sen. Akbari, Raumesh , Rep. Lamar, London
Summary: Extends time, for a student who becomes pregnant during the four-month period immediately preceding the date on which the student completes high school in a Tennessee home school program, obtains a GED® or HiSET®, or graduates from high school, within which the student must be admitted to, and enrolled in, an eligible postsecondary institution to be eligible for a Tennessee HOPE scholarship.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/26/19 - Taken off notice in House Higher Education Subcommittee.
- SB892/HB846 Law enforcement notification regarding person authorized to have firearm on school property.**
Sponsors: Sen. Niceley, Frank , Rep. Todd, Chris
Summary: Changes to 10 business days, the period within which schools directors are required to notify the appropriate chief of law enforcement agency that the director has authorized a person to carry or possess a firearm on school property. Broadly captioned.
Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 02/07/19 - Caption bill held on House clerk's desk.
- SB898/HB678 Changes due date of education commissioner's report on the SAVE Act.**
Sponsors: Sen. Niceley, Frank , Rep. Terry, Bryan
Summary: Changes the due date of the commissioner of education's report to the governor and general assembly regarding the Schools Against Violence in Education Act to July 1 each year.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/07/19 - Caption bill held on House clerk's desk.
- SB1046/HB1483 Providing of feminine hygiene products in public high schools.**
Sponsors: Sen. Kyle, Sara , Rep. Hardaway, G.A.
Summary: Requires each LEA to provide feminine hygiene products, at no charge, in all women's and girl's bathrooms and locker rooms in an eligible school building where instruction is provided, excluding any bathrooms and locker rooms specifically designated for teacher or staff use.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/13/19 - Referred to House Education K-12 Subcommittee.
- SB1098/HB1275 LEA per-pupil funding - certain residential mental health facilities.**
Sponsors: Sen. Dickerson, Steven , Rep. Holt, Andy
Summary: Requires an LEA to allocate prorated daily per pupil state and local funding to an out-of-state residential mental health facility if a student of the LEA is admitted to the facility, faculty are in regulation with the laws of the state, all teachers at the facility are licensed, and at least one teacher is licensed or similarly certified in special education. Defines the requirements of a student to be admitted into the facility.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/21/19 - Set for House Education Administration Subcommittee 02/26/19.
- SB1135/HB776 Automated external defibrillators in schools.**

Sponsors: Sen. Swann, Art , Rep. Ramsey, Bob
Summary: Requires all public middle and elementary schools to place one or more automated external defibrillator (AED) devices within the school.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Referred to House Education K-12 Subcommittee.

SB1153/HB1255 Suspension for students in kindergarten through grade two.

Sponsors: Sen. Akbari, Raumesh , Rep. Johnson, Gloria
Summary: Prohibits suspension of students in pre-kindergarten through grade two as a form of discipline. Broadly captioned.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/13/19 - Referred to House Education K-12 Subcommittee.

SB1196/HB671 School safety plan requirements.

Sponsors: Sen. White, Dawn , Rep. Daniel, Martin
Summary: Increases amount of days prior to adoption that the district-wide and building-level school safety plan must be available for public comment from 30 days 45 days. Broadly captioned.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/07/19 - Caption bill held on House clerk's desk.

SB1238/HB1158 Authorizes LEAs to establish a threat assessment team.

Sponsors: Sen. Gresham, Dolores , Rep. Ogles, Brandon
Summary: Allows LEAs to adopt a policy to establish a threat assessment team within each LEA. Specifies that the purpose of the threat assessment team is to develop comprehensive intervention-based approaches to prevent violence, manage reports of potential threats, and create a system that fosters a safe, supportive, and effective school environment. Requires the threat assessment team to include LEA personnel and law enforcement personnel. Specifies that an LEA's threat assessment team may include juvenile services personnel, a representative of the local district attorney's office, a representative of the department of children's services, and mental health service providers.
Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 02/11/19 - Caption bill held on House clerk's desk.

SB1261/HB399 Code of conduct for schools.

Sponsors: Sen. Gresham, Dolores , Rep. Parkinson, Antonio
Summary: Requires each local board of education and charter school governing body to adopt a code of conduct for each school describing the type of behavior expected from all persons entering the school grounds.
Amendment Summary: House Education Administration Subcommittee amendment 1 (004360) excludes students from new code of conduct proposed and keeps current code of conduct for students in place. Consequences for failure to follow new code of conduct set forth for anyone entering school grounds or attending school-sponsored events can include limiting their accessibility to school grounds and events in the future. An acknowledgement of the code of conduct from a parent or guardian is not part of the enrollment requirements for a school.
Senate Status: 02/21/19 - Set for Senate Education Committee 02/27/19.
House Status: 02/19/19 - House Education Administration Subcommittee recommended with amendment 1

(004360), which excludes students from new code of conduct proposed and keeps current code of conduct for students in place. Does not affect enrollment requirements for a school. Sent to full committee.

FAMILY LAW

SB11/HB4

Pilot program to provide child care payments to eligible relative caregivers.

Sponsors:

Sen. Briggs, Richard , Rep. Staples, Rick

Summary:

Requires the department of children's services to establish a three-year pilot program to provide child care payments to eligible relative caregivers. Requires the department of children's services to publish an annual report containing certain data about the pilot program, including the amount of payments made pursuant to the pilot program and the number of children that remained out of state custody due to the pilot program.

Senate Status:

02/19/19 - Taken off notice in Senate Judiciary Committee.

House Status:

02/26/19 - Taken off notice in House Children & Families Subcommittee.

SB12/HB3

Granting of custody to a relative caregiver.

Sponsors:

Sen. Briggs, Richard , Rep. Staples, Rick

Summary:

Requires a court that issues orders granting custody or guardianship of children to relative caregivers to inform the relative caregiver that resources and funding may be available through the department of children's services. Also requires the department and the administrative office of the courts to distribute resource information to courts that issue such court orders. Permits resource information to be distributed by electronic means.

Amendment

Summary:

Senate Judiciary Committee amendment 1 (003327) specifies that the department will distribute information on available relative caregiver resources to the administrative office of the courts, which will distribute the information to courts within the state that issue orders.

Senate Status:

02/05/19 - Senate Judiciary Committee recommended with amendment 1 (003327). Sent to Senate Calendar Committee.

House Status:

02/25/19 - House passed.

SB89/HB132

Child care subsidy payments bonus for certain child care agencies.

Sponsors:

Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary:

Allows a once-yearly bonus subsidy payment to be distributed to participating child care agencies with a three-star quality rating, if they accept the department's child care assistance subsidy payment.

Senate Status:

01/30/19 - Referred to Senate Health & Welfare Committee.

House Status:

01/30/19 - Referred to House Public Health Subcommittee.

SB207/HB288

Allows the modification of post-adoption contact contracts between certain parties.

Sponsors:

Sen. Haile, Ferrell , Rep. Carter, Mike

Summary:

A prospective adoptive parent or an adoptive parent and a biological parent, and a child who is or has been adopted aged 14 or older may enter into a written contract for post-adoption contact that permits continued contact between legal relatives and the child. Unless expressly designated as a moral agreement only, a written agreement is an enforceable contract for post-adoption contact. Unless otherwise stated, a contract for post-adoption is enforceable until the adopted child is 18. This contract can allow, but is not limited to, visitation, contact, sharing information about the child. Provides for the procedure for petition of modification of post-adoption contracts through mediation.

Amendment Summary: Senate amendment 1 (004544) changes this bill's effective date from July 1, 2019, to upon becoming a law.
Senate Status: 02/25/19 - Senate passed with amendment 1 (004544), which changes this bill's effective date from July 1, 2019, to upon becoming a law.
House Status: 02/20/19 - House Judiciary Committee recommended. Sent to House Calendar & Rules.

SB208/HB287 Revises adoption statutes concerning parental rights.

Sponsors: Sen. Haile, Ferrell , Rep. Carter, Mike
Summary: Requires surrendering party to complete a social and medical history form as promulgated by the department of children's services and attach the completed form to the surrendering party's pre-surrender information form. Removes language that specifies that failure to pay prenatal, natal, and postnatal expenses involving the birth of the child as ground for termination of parental rights. Clarifies the definition of "notice" as it relates to the termination of parental rights and also clarifies definition of "putative father." Revises language related to withholding of material information concerning the status of the parents of a child to include the putative father and clarifies requirements for checking putative father registry. Adds existing abuse offenses to the definition of "severe child abuse" and makes other revisions to sections regarding parental rights and adoption.

Amendment Summary: Senate amendment 1 (004194) rewrites the bill to make a typographical correction from "field" to "filed," and excludes a code which did not belong in the bill.
Senate Status: 02/21/19 - Senate passed with amendment 1 (004194), which rewrites the bill to make a typographical correction from "field" to "filed," and excludes a code which did not belong in the bill.
House Status: 02/20/19 - House Judiciary Committee recommended with amendment 1 (004194), which rewrites the bill to make a typographical correction from "field" to "filed," and excludes a code which did not belong in the bill. Sent to House Calendar & Rules.

SB843/HB1424 Penalty for failure to report child abuse.

Sponsors: Sen. Akbari, Raumesh , Rep. Towns Jr., Joe
Summary: Increases the penalty from a Class A misdemeanor to a Class E felony for the failure to report known or suspected child sexual abuse.
Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 02/13/19 - Referred to House Criminal Justice Subcommittee.

SB847/HB1150 Expands the kinship foster care program.

Sponsors: Sen. Hensley, Joey , Rep. Ragan, John
Summary: Expands the kinship foster care program beyond the placement of children with relatives to include placement with fictive kin; authorizes fictive kin participating in kinship foster care program to receive foster care payments and benefits.
Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 02/13/19 - Referred to House Children & Families Subcommittee.

SB848/HB1152 Adoption - religious beliefs of child-placing agency.

Sponsors: Sen. Hensley, Joey , Rep. Ragan, John
Summary: Specifies that a child-placing agency shall not be required to provide or facilitate adoption services if those adoption services conflict with the child-placing agency's sincerely held religious beliefs. Prohibits an agency of state or local government from taking an adverse

action against a child-placing agency for declining to provide or facilitate adoption services that conflict with the child-placing agency's sincerely held religious beliefs.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Children & Families Subcommittee.

SB1282/HB1369 Tennessee Natural Marriage Defense Act.

Sponsors: Sen. Pody, Mark , Rep. Sexton, Jerry

Summary: Declares marriage to be only between a man and a woman and that the only ruling in the matter is the rule of the state of Tennessee.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Children & Families Subcommittee.

Executive Status: 02/25/19 - Joint Council on Pensions and Insurance deferred to last calendar.

SB1304/HB836 Religious or moral exemptions for private child-placing agencies.

Sponsors: Sen. Pody, Mark , Rep. Rudd, Tim

Summary: Prohibits, to the extent allowed by federal law, requiring privately owned child placing agencies participating in the placement of a child in foster-care or adoption if that would violate the agency's moral or religious convictions. Prohibits denial of license renewals or applications or of state grants, contracts, or government programs for agency refusal to participate in such placements. Prohibits using refusal of agency participation in such placements as the basis for civil suits.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Children & Families Subcommittee.

SB1359/HB917 Altering a child's school enrollment with intent to hinder an active child abuse investigation.

Sponsors: Sen. Yager, Ken , Rep. Keisling, Kelly

Summary: Creates the Class A misdemeanor offense of withdrawing, transferring, or altering a child's school enrollment with intent to hinder an active child abuse or child neglect investigation creates the Class E felony offense of moving a child in such circumstances out of state.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Children & Families Subcommittee.

GOVERNMENT ORGANIZATION

SB131/HB463 Sunset - Tennessee Council on Autism Spectrum Disorder.

Sponsors: Sen. Roberts, Kerry , Rep. Daniel, Martin

Summary: Extends the Tennessee Council on Autism Spectrum Disorder to June 30, 2021.

Senate Status: 01/30/19 - Referred to Senate Government Operations Committee.

House Status: 02/06/19 - Referred to House Government Operations Committee.

SB616/HB921 Staffing to meet requirements of cases from the department of children services.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott

Summary: Establishes that the department of children's services will maintain staffing levels of foster care case managers so that each region has enough case managers to allow caseloads to be limited to ten active cases.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Children & Families Subcommittee.

GOVERNMENT REGULATION

SB1384/HB1360 Requires prescription of naloxone in certain cases.

Sponsors: Sen. Yager, Ken , Rep. Calfee, Kent

Summary: Requires a prescriber to also prescribe naloxone when prescribing opioids or benzodiazepines to a patient.

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/13/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

HEALTH CARE

SB771/HB879 Creation of mental health professional education loan forgiveness program.

Sponsors: Sen. Yarbro, Jeff , Rep. Dixie, Vincent

Summary: Allows the commissioner of health to select applicants each year for participation in the mental health professional education loan forgiveness program, limited to funding available. Requires participants to meet the service obligation up to a maximum of three years. Establishes the maximum amount to receive and the requirements that are required to be met for eligibility of the loan forgiveness program. Declares that if the minimum commitment is not met, the commissioner must collect the total amount paid in the program, plus interest established by rule.

Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

SB949/HB988 Mental health counseling to each child in a detention or shelter care facility.

Sponsors: Sen. Kyle, Sara , Rep. Lamar, London

Summary: Requires the department to provide mental health counseling by a mental health professional not less than once per week to each child in a detention or shelter care facility. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Children & Families Subcommittee.

SB1022/HB1367 Joint report regarding current status of emergency medical services for children.

Sponsors: Sen. Reeves, Shane , Rep. Tillis, Rick

Summary: Authorizes the joint report regarding the current status of emergency medical services for children prepared by the board for licensing health care facilities and the emergency medical services board to be submitted electronically. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Caption bill held on House clerk's desk.

SB1111/HB1437 Disciplinary action - mental health providers.

Sponsors: Sen. Dickerson, Steven , Rep. Stewart, Mike

Summary: Clarifies that a mental health provider who commits professional misconduct is subject to discipline by any authorized state regulatory entity. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Caption bill held on House clerk's desk.

SB1209/HB615 Removes outdated code provision that created a taskforce to review residential and day provider agencies.

Sponsors: Sen. Crowe, Rusty , Rep. Kumar, Sabi

Summary: Removes outdated code provision that created a taskforce to review the regulations of the residential and day provider agencies contracted by the department of intellectual and developmental disabilities, which ceased to exist as of June 30, 2014. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/19 - Caption bill held on House clerk's desk.

SB1287/HB811 Report on current status of emergency medical services for children.

Sponsors: Sen. Pody, Mark , Rep. Kumar, Sabi

Summary: In addition to other legislative committees, requires the board for licensing health care facilities and the emergency medical services board, in collaboration with the committee on pediatric emergency care, to report to the judiciary committee of the house of representatives on the current status of emergency medical services for children and on continuing efforts to improve such services. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/19 - Caption bill held on House clerk's desk.

SB1344/HB969 Court ordered entrance into outpatient mental health treatment programs upon certain criteria.

Sponsors: Sen. Massey, Becky , Rep. Rudd, Tim

Summary: Allows a court, including a mental health court, to order a proposed patient who has threatened violence against the patient's self or other persons to receive assisted outpatient mental health treatment upon finding that certain conditions have been met. Establishes a process for certain persons to file a petition with a court of competent jurisdiction on behalf of a proposed patient seeking assisted outpatient mental health treatment for such patient. Establishes criteria for the evaluation of proposed patients and reporting to the court by physicians and certain mental health professionals. Prohibits the court from ordering assisted outpatient mental health treatment unless the examining physician or other professional that recommended the treatment testifies at the hearing. Requires the court to order inpatient care and treatment or make other dispositions authorized by law if, after hearing all relevant evidence, the court does not find that the proposed patient is in need of assisted outpatient mental health treatment. Specifies requirements for court regarding less restrictive alternative treatment. (11 pp.)

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/11/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

SB1391/HB922 Sheriff's responsibility to transport persons with mental illness to treatment facilities.

Sponsors: Sen. Bell, Mike , Rep. Russell, Lowell

Summary: Removes sheriff's responsibility to transport a person with a mental illness or serious emotional disturbance for evaluation at and admission to a treatment facility. Requires a county mayor to designate an ambulance service provider in the county as the transportation agent for the county in times of health or emotional disturbances or problems. Declares that a transportation agent may seek reimbursement for the transportation services from the medical insurance of the transported, and if there is no medical insurance, to be reimbursed from the department of mental health and substance abuse services.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 02/11/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

SB1465/HB159 Extends Suicide Prevention Act.

Sponsors: Sen. Bailey, Paul , Rep. Sexton, Cameron

Summary: Extends the Suicide Prevention Act of 2018. Requires the department of health to compile data on the medications that were prescribed to persons who died from suicide. Requires that a report recommending any necessary programs or policies to prevent suicide deaths in this state be made to the health committee of the house of representatives and the health and welfare committee of the senate no later than June 30, 2020, and by June 30 every two years thereafter.

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

SB1470/HB1388 Adds neonatal care to department of health's plan.

Sponsors: Sen. Bailey, Paul , Rep. Williams, Ryan

Summary: Obligates the department of health in developing their plan to consider the feasibility of assisting in the regional development, expansion, and maintenance of specialty level II birthing centers in every health region with certified obstetricians and pediatricians available who are trained in the prevention, early diagnoses, treatment, and stabilization of complications of pregnancy and childbirth. Requires the bureau of TennCare, in consultation with the perinatal advisory committee and with the assistance of relevant state agencies, to report on quality and outcomes in perinatal care for the last two available fiscal years or calendar years to the health committee of the house of representatives and the health and welfare committee of the senate on or before March 1 of each year. Specifies the report must include a description of any initiatives by the managed care organizations to improve key performance indicators of perinatal care outcomes and a determination of the effectiveness of organizations' initiatives toward improving perinatal care outcomes to residents in each health region.

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/13/19 - Referred to House Public Health Subcommittee.

INSURANCE GENERAL

SB468/HB550 Requires actuarially justified reductions of general liability and property insurance for sober living homes.

Sponsors: Sen. Roberts, Kerry , Rep. Curcio, Michael

Summary: Requires premiums for each commercial general liability policy and property insurance include a provision for actuarially justified reductions, not to exceed five percent of the total premium cost for operators of certain sober living homes.

Senate Status: 02/07/19 - Referred to Senate Commerce & Labor Committee.

House Status: 02/26/19 - Taken off notice in House Property & Casualty Subcommittee.

INSURANCE HEALTH

SB416/HB385 Benefits for neurological disorders, including autism.

Sponsors: Sen. Kyle, Sara , Rep. Hodges, Jason

Summary: Requires the commissioner of commerce and insurance to conduct a study for the purpose of determining the amount of insurance policies that provide benefits for neurological disorders

in this state. Specifies that the study must include the amount of claims for treatment of autism spectrum disorder within the insurance policies that provide benefits for neurological disorders. Requires the commissioner to submit a copy of the report to the insurance committee of the house and the commerce and labor committee of the senate no later than January 1, 2020.

Senate Status: 02/06/19 - Referred to Senate Commerce & Labor Committee.

House Status: 02/06/19 - Referred to House Life & Health Insurance Subcommittee.

SB1169/HB753 Expands telehealth services,

Sponsors: Sen. Swann, Art , Rep. Smith, Robin

Summary: Adds a patient's residence and place of employment, if equipped to engage in telehealth communications, as locations a patient may be and receive telehealth services covered by health insurance; prohibits health insurance entities from distinguishing among geographic locations in the reimbursement for telehealth services; removes certain types of insurance from telehealth coverage exemption. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.

House Status: 02/11/19 - Referred to House Life & Health Insurance Subcommittee.

JUDICIARY

SB214/HB168 Disposal of juvenile court records.

Sponsors: Sen. Haile, Ferrell , Rep. Lamberth, William

Summary: Authorizes juvenile court clerks to dispose of delinquent and unruly juvenile court records and documents after a period of ten years following the juvenile reaching 18 years of age.

Senate Status: 02/01/19 - Referred to Senate Judiciary Committee.

House Status: 02/21/19 - Set for House Judiciary Committee 02/27/19.

SB540/HB995 Civil liability for treatment of mental health disorders by unlicensed persons.

Sponsors: Sen. Lundberg, Jon , Rep. Beck, Bill

Summary: Defines "mental health disorder" to mean a serious psychological condition, including, but not limited to, major depressive disorder, anxiety disorder, bipolar disorder, personality disorder, and post-traumatic stress disorder. Requires an unlicensed person who provides mental health psychotherapy services to provide to the client for the client's review and signature, a statement acknowledging the unlicensed status of the provider. Creates civil liability for an unlicensed person providing mental health psychotherapy services for treatment of a mental health disorder.

Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/13/19 - Referred to House Civil Justice Subcommittee.

SB649/HB1047 Makes various changes to zero to three courts.

Sponsors: Sen. Haile, Ferrell , Rep. White, Mark

Summary: Adds to the zero to three court program by establishing five zero to three court programs in addition to others throughout the state, letting the department of children's services and the council of juvenile and family court judges determine each location, extending the courts to January 1, 2025, presenting an annual report to the house and senate judiciary committees, and the ability of the courts to reinstate a revoked or suspended driver license of a party to an action before the court and waive unpaid fines and fees based on the party's satisfactory progress toward meeting the goals of the court.

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.
House Status: 02/13/19 - Referred to House Civil Justice Subcommittee.

LABOR LAW

SB420/HB363 Time off to be involved in a child's school.

Sponsors: Sen. Robinson, Katrina , Rep. Johnson, Gloria

Summary: Requires employers to grant four hours of leave per year to an employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that they may be involved at the child's school.

Senate Status: 02/06/19 - Referred to Senate Commerce & Labor Committee.

House Status: 02/06/19 - Referred to House Employee Affairs Subcommittee.

LOCAL GOVERNMENT

SB931/HB1110 Adoption of sanctuary policies.

Sponsors: Sen. Yarbrow, Jeff , Rep. Powell, Jason

Summary: Allows certain state government organizations, including the department of education, children's services, and health, to adopt or enact sanctuary policies.

Senate Status: 02/11/19 - Referred to Senate State & Local Government Committee.

House Status: 02/13/19 - Referred to House Department & Agencies Subcommittee.

PROFESSIONS & LICENSURE

SB204/HB36 Suicide prevention training program required for social workers, therapists.

Sponsors: Sen. Briggs, Richard , Rep. Whitson, Sam

Summary: Requires social workers, marriage and family therapists, professional counselors, pastoral counselors, alcohol and drug abuse counselors, and occupational therapists to complete an approved suicide prevention training program once every four years. Current law requires the completion of the training program every five years.

Senate Status: 02/01/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/26/19 - House Facilities, Licensure & Regulations Subcommittee recommended. Sent to full committee.

SB383/HB386 Board of examiners in psychology - eligibility for reappointment as member.

Sponsors: Sen. Massey, Becky , Rep. Gant, Ron

Summary: Changes from five years to six years the time frame during which board members are ineligible for reappointment after completion of their term. Broadly captioned.

Senate Status: 02/06/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/06/19 - Referred to House Facilities, Licensure & Regulations Subcommittee.

PUBLIC EMPLOYEES

SB579/HB643 Removes law enforcement as mental health department transportation method for people with certain conditions.

Sponsors: Sen. Gardenhire, Todd , Rep. Carter, Mike

Summary: Removes law enforcement as a transportation option provided by the mental health and substance abuse services department for people with developmental disabilities, mental illness, or serious emotional disturbance.

Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

SB789/HB933 Background checks on human services contractors working with disabled individuals.

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

Summary: Authorizes state and national criminal history background checks and investigations of employees and contractors of the human services department who are likely to have access to individuals with disabilities.

Amendment Summary: Senate amendment 1, House State Committee amendment 1 (004343) deletes and rewrites all language after the enacting clause such that the only substantive changes are: 1) requires contract employees of the DHS to agree to release all investigative records to their employer or the state for the purpose of verifying criminal history information; and 2) establishes that contract employees may either supply a fingerprint sample and submit to a state criminal history check conducted by the TBI or release information for a criminal background investigation by a state-licensed private investigation company.

Senate Status: 02/25/19 - Senate passed with amendment 1 (004343), which deletes and rewrites all language after the enacting clause such that the only substantive changes are: 1) requires contract employees of the DHS to agree to release all investigative records to their employer or the state for the purpose of verifying criminal history information; and 2) establishes that contract employees may either supply a fingerprint sample and submit to a state criminal history check conducted by the TBI or release information for a criminal background investigation by a state-licensed private investigation company.

House Status: 02/26/19 - House State Committee recommended with amendment 1 (004343), which deletes and rewrites all language after the enacting clause such that the only substantive changes are: 1) requires contract employees of the DHS to agree to release all investigative records to their employer or the state for the purpose of verifying criminal history information; and 2) establishes that contract employees may either supply a fingerprint sample and submit to a state criminal history check conducted by the TBI or release information for a criminal background investigation by a state-licensed private investigation company. Sent to House Finance.

SB1499/HB1274 Attorney general duties regarding biological sex bathroom policy tribunals.

Sponsors: Sen. Hensley, Joey , Rep. Holt, Andy

Summary: Expands the attorney general and reporter's duties to include court representation of an LEA or certain LEA employees regarding policies requiring students, faculty, and staff use of facilities that corresponds to that individual's biological sex.

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Civil Justice Subcommittee.

TENNCARE

SB1116/HB1136 Waiver for access to evidence-based home visitation services for certain families.

Sponsors: Sen. Yarbro, Jeff , Rep. Hakeem, Yusuf

Summary: Requires the commissioner of finance and administration to submit a waiver amendment to the existing TennCare II wavier or a new waiver in order to improve access to and quality of evidence-based home visitation services for the families of babies suffering from neonatal abstinence syndrome or related conditions for eligible residents of Tennessee, to the federal centers for medicare and medicaid.

Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.

House Status: 02/13/19 - Referred to House TennCare Subcommittee.

SB1428/HB1280 TennCare II funding by means of a block grant indexed for inflation and population growth.

Sponsors: Sen. Bailey, Paul , Rep. Hill, Timothy

Summary: Requires the governor acting through the commissioner of finance and administration to submit to the federal centers for medicare and medicaid services a waiver amendment to the existing TennCare II waiver, or to submit a new waiver in order to provide medical assistance to the TennCare II waiver population by means of a block grant no later than 120 days after the effective date of this act. Orders the block grant to convert the federal share of all medical assistance funding into an allotment that is tailored to meet the needs of the state and that is indexed for inflation and population growth. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.

House Status: 02/21/19 - Set for House TennCare Subcommittee 02/27/19.

VETERANS & MILITARY AFFAIRS

SB673/HB787 Department employee training for those assisting veterans with mental health issues.

Sponsors: Sen. Kyle, Sara , Rep. Hall, Mark

Summary: Requires veteran services department provide training in mental health crisis management to the employees who assist veterans with mental health issues.

Senate Status: 02/07/19 - Referred to Senate State & Local Government Committee.

House Status: 02/21/19 - Set for House Mental Health & Substance Abuse Subcommittee 02/27/19.

WELFARE

SB1279/HB1238 Verification of citizenship required for certain public benefits.

Sponsors: Sen. Pody, Mark , Rep. Griffey, Bruce

Summary: Requires verification of citizenship or lawful presence for each applicant 18 years of age or older, who applies for prenatal care and the special supplemental food program for women, infants and children when administered by the department of health. Broadly captioned.

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Caption bill held on House clerk's desk.

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