# TCV Priority Bills 3.24.2017

|  |  |
| --- | --- |
| [SB295/HB362](https://tls.mleesmith.com/2017-2018/pdf/SB0295.pdf)  | [Permits issued by the department of environment and conservation.](https://tls.mleesmith.com/2017-2018/pdf/SB0295.pdf)  |
| *Sponsors:*  | Sen. Briggs, Richard , Rep. Zachary, Jason  |
| *Summary:*  | Prohibits the department of environment and conservation from issuing any permit that has not first been reviewed by the general assembly in the same manner as a rule under the Uniform Administrative Procedures Act.  |
| *Senate Status:*  | 02/06/17 - Referred to Senate Energy, Agriculture & Natural Resources Committee.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17.  |
| [SB464/HB58](https://tls.mleesmith.com/2017-2018/pdf/SB0464.pdf)  | [Open records requests.](https://tls.mleesmith.com/2017-2018/pdf/SB0464.pdf)  |
| *Sponsors:*  | Sen. Bell, Mike , Rep. Rogers, Courtney  |
| *Summary:*  | Rewrites language to require a records custodian that requires a request for copies of public records to be in writing, to accept handwritten request, mail request, email request, and provide an electronic form request that shall be developed by the office of open records counsel, as expeditiously as possible. Also requires persons who wish to view or copy public records, to present a valid form of identification to a records custodian.  |
| *Amendment Summary:*  | House Amendment 1 (004892) deletes and replaces language of the bill such that the only substantive changes are: (1) to delete the ability of individuals to submit open records requests by all official modes of communication; (2) to authorize governmental entities to require a request for copies of public records to be submitted on a form developed by the agency to comply with the requirements pursuant to Tenn. Code Ann. § 10-7-503(c); and (3) to establish two circumstances when records custodians would be authorized to deny access to public records.  |
| *Fiscal Note:*  | (Dated February 11, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/23/17 - Set for Senate State & Local Government Committee Regular Calendar 03/28/17.  |
| *House Status:*  | 03/20/17 - House passed with amendment 1 (004892).  |
| [SB466/HB74](https://tls.mleesmith.com/2017-2018/pdf/SB0466.pdf)  | [Boundaries on the Duck River.](https://tls.mleesmith.com/2017-2018/pdf/SB0466.pdf)  |
| *Sponsors:*  | Sen. Bell, Mike , Rep. Howell, Dan  |
| *Summary:*  | Caption |
| *Amendment Summary:*  | House Agriculture & Natural Resources Subcommittee Amendment 1 (005574) rewrites the bill by creating a new chapter under Title 11 called the "Ocoee River Recreation and Economic Development Fund Act." The Ocoee River recreation and economic development fund is established as a special agency account in the state general fund. All revenue collected from the Ocoee River recreation fee shall be deposited into the development fund. The Ocoee River recreation and economic development fund board shall be established, consisting of 11 specifically-chosen, voting members. The members shall serve four-year renewable terms and shall receive no compensation for their board service. Any county that occurs costs for the management of the Ocoee River management zone shall submit a financial statement and justification for costs incurred to the board, and they shall be reimbursed. The commissioner is authorized to issue permits to commercial operations conducting business within the Ocoee River management zone and levy a recreation fee, which is 10% of the annual gross revenue generated by the commercial activities. The fee will be deposited into the development fund. |
| *Fiscal Note:*  | (Dated January 23, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Committee 03/28/17.  |
| [SB548/HB406](https://tls.mleesmith.com/2017-2018/pdf/SB0548.pdf)  | [Public Participation Protection Act.](https://tls.mleesmith.com/2017-2018/pdf/SB0548.pdf)  |
| *Sponsors:*  | Sen. Ketron, Bill , Rep. Carter, Mike  |
| *Summary:*  | Establishes protection of persons exercising rights of expression, including constitutional rights of expression on matters of public concern. Specifies civil procedures that encourage and safeguard the constitutional rights of persons to participate in government to the maximum extent permitted by law and also protect the rights of persons to file meritorious lawsuits for demonstrable injury.  |
| *Fiscal Note:*  | (Dated March 2, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 02/09/17 - Referred to Senate Judiciary Committee.  |
| *House Status:*  | 03/22/17 - Taken off notice in House Civil Justice Subcommittee  |
| [SB686/HB571](https://tls.mleesmith.com/2017-2018/pdf/SB0686.pdf)  | [Enabling Tennessee to obtain primacy over the regulation of surface coal mining and reclamation within its territorial jurisdiction.](https://tls.mleesmith.com/2017-2018/pdf/SB0686.pdf)  |
| *Sponsors:*  | Sen. Yager, Ken , Rep. Powers, Dennis  |
| *Summary:*  | Primacy Act  |
| *Amendment Summary:*  | Primacy Act  |
| *Fiscal Note:*  | (Dated March 19, 2017) Increase State Expenditures - $8,200/One-Time  |
| *Senate Status:*  | 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Committee 03/28/17.  |
| [SB794/HB464](https://tls.mleesmith.com/2017-2018/pdf/SB0794.pdf)  | [Property Assessed Clean Energy Act.](https://tls.mleesmith.com/2017-2018/pdf/SB0794.pdf)  |
| *Sponsors:*  | Sen. Dickerson, Steven , Rep. Staples, Rick  |
| *Summary:*  | Authorizes local governments to impose assessments to repay the financing of qualified projects on real properties located in a region. Specifies that such assessments shall only occur after entering into a written contract with the record owner of the real property and providing notice to each lien holder. Specifies that the assessment may include costs of material in labor, fees associated with program application and administration, and third party fees such as the costs to the property owner. Establishes the procedures for the creation of a PACE program by a local government. (15pp).  |
| *Fiscal Note:*  | (Dated March 15, 2017) Increase Local Revenue – Exceeds $5,000/Permissive/Each PACE Project Increase Local Expenditures – Exceeds $5,000/Permissive/Each PACE Project  |
| *Senate Status:*  | 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17.  |
| [SB818/HB1014](https://tls.mleesmith.com/2017-2018/pdf/SB0818.pdf)  | [Report on implementation of a secure web portal for the submittal of online permit applications.](https://tls.mleesmith.com/2017-2018/pdf/SB0818.pdf)  |
| *Sponsors:*  | Sen. Southerland, Steve , Rep. Hawk, David  |
| *Summary:*  | Expected to be a negative caption bill.  |
| *Fiscal Note:*  | (Dated February 11, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17.  |
| [SB899/HB1017](https://tls.mleesmith.com/2017-2018/pdf/SB0899.pdf)  | [Scheduling conference for a hearing concerning a violation of the Water Quality Control Act of 1977.](https://tls.mleesmith.com/2017-2018/pdf/SB0899.pdf)  |
| *Sponsors:*  | Sen. Bell, Mike , Rep. Hawk, David  |
| *Summary:*  | Increases the time within which an administrative judge must hold a scheduling conference for a hearing concerning a violation of the Water Quality Control Act of 1977 from 30 days to 35 days.  |
| *Amendment Summary:*  | House Agriculture & Natural Resources Subcommittee Amendment 1 (004469) rewrites the bill. Related to concentrated animal feeding, the part related to the department adopting a more stringent definition of "concentrated animal feeding" per permit requirements and regulations adopted by the board in accordance with the Uniform Administrative Procedures Act. Also deletes "The construction, installation or operation of a concentrated animal feeding operation" in TCA 69-3-108(b)(7) and replaces it with "The actual discharge of a pollutant from a concentrated animal feeding operation."  |
| *Fiscal Note:*  | (Dated February 11, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Committee 03/28/17.  |
| [SB1221/HB534](https://tls.mleesmith.com/2017-2018/pdf/SB1221.pdf)  | [Returned revenue related to liquefied gas used.](https://tls.mleesmith.com/2017-2018/pdf/SB1221.pdf)  |
| *Sponsors:*  | Sen. Norris, Mark , Rep. Casada, Glen  |
| *Summary:*  | Changes to July 20 from July 25 the date by which a commercial user of a vehicle propelled by liquefied gas or compressed natural gas must submit the report of miles traveled and tax due for that year. Part of Administration Package.  |
| *Amendment Summary:*  | Governor’s IMPROVE ACT  |
| *Fiscal Note:*  | (Dated February 16, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/23/17 - Set for Senate Finance, Ways & Means Committee 03/28/17.  |
| *House Status:*  | 03/23/17 - Set for House Local Government Committee 03/28/17.  |
| [SB1235/HB874](https://tls.mleesmith.com/2017-2018/pdf/SB1235.pdf)  | [Expansion of the tax credit allowed for the purchase of brownfield property.](https://tls.mleesmith.com/2017-2018/pdf/SB1235.pdf)  |
| *Sponsors:*  | Sen. Norris, Mark , Rep. Akbari, Raumesh  |
| *Summary:*  | Makes revisions to tax credits, such as expanding the tax credit allowed for the purchase of brownfield property to include real property that was previously the subject of an investigation or remediation as a brownfield project under a voluntary agreement or consent order.  |
| *Fiscal Note:*  | (Dated March 11, 2017) Decrease State Revenue – $9,940,000  |
| *Senate Status:*  | 02/13/17 - Referred to Senate State & Local Government Committee.  |
| *House Status:*  | 03/14/17 - Taken off notice in House Local Government Subcommittee  |
| [SB1335/HB785](https://tls.mleesmith.com/2017-2018/pdf/SB1335.pdf)  | [Study of risks associated with use of non-motorized vessels at outdoor recreation areas.](https://tls.mleesmith.com/2017-2018/pdf/SB1335.pdf)  |
| *Sponsors:*  | Sen. Bailey, Paul , Rep. Littleton, Mary  |
| *Summary:*  | Requires the executive director of the wildlife resources agency to conduct a study of the risks associated with the use of non-motorized vessels at outdoor recreation areas located on waters of the state.  |
| *Amendment Summary:*  | House Agriculture & Natural Resources Subcommittee Amendment 1, Senate Amendment 1 (004710) rewrites the bill. The speakers of the senate and house will establish an advisory task force to study issues associated with the use of non-motorized vessels on waters of the state by no later than July 1, 2017. The task force shall have six members as appointed by the speakers (each shall appoint three), all serving as active members of the general assembly. The member having the greatest number of years of continuous service within the general assembly will convene the task force. The Tennessee wildlife resources agency shall provide administrative support services to the task force as necessary. The members shall serve without compensation, but shall be eligible for reimbursement for travel expenses in accordance with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter. The task force shall report its findings and recommendations to the governor and speakers of the house and senate by January 1, 2018 and will then cease to exist.  |
| *Fiscal Note:*  | (Dated February 12, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/23/17 - Senate passed with amendment 1 (004710), which rewrites the bill. The speakers of the senate and house will establish an advisory task force to study issues associated with the use of non-motorized vessels on waters of the state by no later than July 1, 2017. The task force shall have six members as appointed by the speakers (each shall appoint three), all serving as active members of the general assembly. The member having the greatest number of years of continuous service within the general assembly will convene the task force. The Tennessee wildlife resources agency shall provide administrative support services to the task force as necessary. The members shall serve without compensation, but shall be eligible for reimbursement for travel expenses in accordance with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter. The task force shall report its findings and recommendations to the governor and speakers of the house and senate by January 1, 2018 and will then cease to exist.  |
| *House Status:*  | 03/21/17 - House Agriculture & Natural Resources Committee recommended with amendment 1 (004710). Sent to House Finance.  |
| [SB1336/HB1021](https://tls.mleesmith.com/2017-2018/pdf/SB1336.pdf)  | [Wind farm sites.](https://tls.mleesmith.com/2017-2018/pdf/SB1336.pdf)  |
| *Sponsors:*  | Sen. Bailey, Paul , Rep. Sexton, Cameron  |
| *Summary:*  | Caption bill to regulate out of existence wind energy in the state. |
| *Fiscal Note:*  | (Dated February 28, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17.  |
| [SB1351/HB1187](https://tls.mleesmith.com/2017-2018/pdf/SB1351.pdf)  | [Changes the due date for reporting and remitting severance liabilities.](https://tls.mleesmith.com/2017-2018/pdf/SB1351.pdf)  |
| *Sponsors:*  | Sen. Bailey, Paul , Rep. Ragan, John  |
| *Summary:*  | Changes the due date for reporting and remitting severance liabilities from the 20th to the 19th of the month. Broadly captioned.  |
| *Amendment Summary:*  | House Finance Subcommittee Amendment 1 (004440) deletes all language of the original bill. Reallocates all gas and oil severance tax collections to the county that was the site of the wellhead for the respective gas or oil, less a reasonable percentage as determined by the Department of Revenue to cover the expenses of administration and collection of tax.  |
| *Fiscal Note:*  | (Dated March 2, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/21/17 - Senate Finance Revenue Subcommittee recommended with amendment 1 (004440) without a recommendation. The amendment deletes all language of the original bill. Reallocates all gas and oil severance tax collections to the county that was the site of the wellhead for the respective gas or oil, less a reasonable percentage as determined by the Department of Revenue to cover the expenses of administration and collection of tax. Sent to full committee.  |
| *House Status:*  | 03/08/17 - House Finance Subcommittee placed behind the budget after adopting amendment 1 (004440), which deletes all language of the original bill. Reallocates all gas and oil severance tax collections to the county that was the site of the wellhead for the respective gas or oil, less a reasonable percentage as determined by the Department of Revenue to cover the expenses of administration and collection of tax.  |
| [SB1371/HB1405](https://tls.mleesmith.com/2017-2018/pdf/SB1371.pdf)  | [Decreases number of publications required of air quality regulations.](https://tls.mleesmith.com/2017-2018/pdf/SB1371.pdf)  |
| *Sponsors:*  | Sen. Johnson, Jack , Rep. Keisling, Kelly  |
| *Summary:*  | Caption  |
| *Amendment Summary:*  | Senate Amendment 1 (003638) rewrites this bill to make certain changes to present law concerning local air pollution control regulations. Present law authorizes local governments to adopt air pollution control regulations that are no less stringent than the state's air pollution control standards. Before a local air pollution control regulation takes effect, the local government must apply for and receive from the air pollution control board a certificate of exemption. Present law requires the board to grant the certificate of exemption if the board determines that the local government has enacted provisions for the control of air pollution not less stringent than state law and that such local regulations are being, or will be, adequately enforced. This amendment makes the granting of a certificate of exemption by the board permissive rather than mandatory and provides a list of factors for the board to consider when deciding whether to issue the certificate. **This amendment also prohibits local governments from: (1) Including land use or zoning requirements in its air pollution control regulations or the local government's certificate of exemption**; and **(2) Requesting that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency**.  |
| *Fiscal Note:*  | (Dated March 15, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 03/24/17 - Set for Senate Floor 03/27/17.  |
| *House Status:*  | 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17.  |
| [SJR57](https://tls.mleesmith.com/2017-2018/pdf/SJR0057.pdf)  | [Constitutional amendment - popular election of attorney general.](https://tls.mleesmith.com/2017-2018/pdf/SJR0057.pdf)  |
| *Sponsors:*  | Sen. Beavers, Mae ,  |
| *Summary:*  | Proposes amendment of Article VI, Section 5 to provide for popular election of the attorney general and reporter for a regular term of six years.  |
| *Amendment Summary:*  | Senate Amendment 1 (004256) changes the language regarding attorney general terms from “two six-year terms” to ”two four-year terms.”  |
| *Fiscal Note:*  | (Dated February 14, 2017) Increase State Expenditures – $9,100/One-Time  |
| *Senate Status:*  | 03/20/17 - Senate adopted on third and final consideration with previously adopted amendment 1.  |
| [SJR59](https://tls.mleesmith.com/2017-2018/pdf/SJR0059.pdf)  | [Federal transportation funding to the states.](https://tls.mleesmith.com/2017-2018/pdf/SJR0059.pdf)  |
| *Sponsors:*  | Sen. Beavers, Mae ,  |
| *Summary:*  | Urges President Donald J. Trump and Congress to distribute federal transportation funding to the states by block grant.  |
| *Fiscal Note:*  | (Dated February 1, 2017) NOT SIGNIFICANT  |
| *Senate Status:*  | 02/16/17 - Senate adopted.  |
| *House Status:*  | 03/23/17 - Set for House Transportation Committee 03/28/17.  |