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## **The Key Three: English Only Driver License Bill Calendared, New Commercial/Industrial Impact Fees Proposed for Certain High Growth Counties, and Annual Local Property Tax Reappraisal Bill Moving Through House**

### **ACTION ALERT-English Only Drivers License Bill is Calendared for Next Week:**

[SB1717](#) by [Senator Joey Hensley \(R-Hohenwald\)](#) is scheduled to be heard in the Senate Transportation and Safety Committee on Wednesday, February 28 at 10 AM CST.

[SB1717\(Hensley\)/HB1730\(Capley\)](#) requires all written driver license examinations to be administered in English only. The proposed legislation prohibits the use of a translation dictionary, electronic device, or interpreter to assist with the examination, as currently allowed. The Chamber and a number of our member companies are opposed to the legislation as drafted and believe it will negatively impact the ability of legitimate employees and their families working in the United States to obtain their Tennessee drivers license to commute. Only a few states have enacted this stringent of a requirement and Chamber members believe it will impact Tennessee's competitiveness in a harmful way.

Tennessee's welcoming, pro-business policies have attracted a business community that is made up of countless multinational companies including direct investment from Japan, South Korea, Spain, Germany, and more and we have been noted as one of the top states in direct foreign investment. Tennessee is home to "1,000+ foreign-based businesses investing over \$47 billion in capital and employ more than 161,900 Tennesseans" ([TNECD](#)). The proposed legislation adds a significant and unnecessary burden to the business community and those employees who speak languages other than English.

Please consider reaching out to [members of the Senate Transportation and Safety Committee](#) to share your concerns.

### **Amended Legislation Proposes New Commercial/Industrial Building Impact Fee:**

This week proposed legislation [SB2261\(Reeves\)/HB2426\(Hicks, T\)](#) was rolled two weeks in the House Property & Planning Subcommittee after amendatory language was released that proposed a new commercial/industrial building impact fee for certain high growth counties of up to \$1.50 per square foot. To view the proposed amendment [click here](#). The legislation also includes a residential impact fee of up to \$1.50 per square foot for new homes to fund local K-12 schools.

Proponents of the legislation note that significant residential growth has put significant funding pressure on local schools and outpaced property tax collections. A [report](#) from the Farmland Information Center regarding the Cost of Community Services Studies note that for every

\$1.00 in property taxes paid, residential owners use approximately \$1.16 of infrastructure benefits while businesses and commercial owners use only \$0.30. The Tennessee Chamber recognizes the need for local communities to have the ability to implement residential impact fees, but has concerns placing similar impact fees on commercial and industrial facilities since these fees would raise construction or economic development site development costs significantly and could negatively impact economic development. Commercial business and industrial development contribute significantly to local tax collections through sales and use, property, and gross receipts tax and does not utilize the same level of city or county government services. The Chamber will continue to monitor this proposal and keep you informed.

### **Local Property Tax Proposal Authorizes Annual Local Property Tax Reappraisals: \$100 Million in Additional Local Revenue Noted by State's Fiscal Review:**

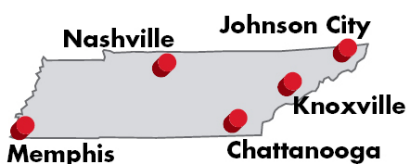
Last week, the House Finance, Ways, and Means Subcommittee advanced legislation supported by the State Comptroller's office that would shrink the window of allowable property tax appraisal cycles. Currently, local governments can reappraise property every four to six years. [SB1946\(Walley\)/HB2057\(Carr\)](#), would allow local governments to reappraise as frequently as one year up to four year cycles. Chamber members have expressed an annual reappraisal cycle for all businesses detailing all real and tangible property would likely impose additional compliance costs as well as increased property taxes annually with local approval. Additionally, some localities are already struggling with a backlog of appraisal appeals – a one year reappraisal cycle would exacerbate those backlogs. The Chamber recognizes the current problem with the existing statute but prefers an allowable range of two to four years which would be much more workable for businesses to comply with local governments requirements. The Senate State and Local Government Committee rolled the bill this week to learn more about the \$100 million tax revenue windfall to local governments reported in the fiscal note on the bill.

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**ENVIRONMENT &  
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### **Chamber-backed Wetlands Legislation to be Considered by Full Committee:**

Following the Chamber's work over the summer and weeks of negotiating with the Tennessee Department of Environment and Conservation and legislators, next week, the House Agriculture & Natural Resources Committee is expected to consider Representative Kevin Vaughan's (R-Collierville) legislation narrowing the definition of state-regulated wetlands. An amendment may be offered with small tweaks to the language, but it is expected that the committee will vote to advance [HB1054/SB631](#) for full House consideration. Once the House moves the bill out of committee, work will begin to move the final language through the Senate Energy, Agriculture, and Natural Resources Committee and onto the Senate floor.

The legislation is limited to isolated wetlands and originated from a recent U.S. Supreme Court decision that limited the authority of the federal government to regulate certain waterways. The Chamber strongly supports this legislation to ensure consistency and clear

interpretation regarding the regulation of limited isolated wetlands and will continue to urge its quick passage.

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### Chamber Quick Hits/Bills of Interest:

**SB2912(Bailey)/HB2032(Barrett)--Gun Laws--** [SB2912/HB2032](#) removes the offense of possessing a weapon in a building that prohibits or restricts weapons. Allows a person with an enhanced handgun carry permit to carry a handgun into a business that prohibits or restricts weapons. Removes penalties for violations of certain firearms provisions.

Senate: Passed on Second Consideration, refer to Senate Judiciary Committee,

House: Action Def. in s/c Civil Justice Subcommittee to 3/19/2024

**Position:** **Opposed**

**SB2027(Reeves)/HB2110(Boyd)--Labor--** [SB2027/HB2110](#) clarifies that under Title 50, Chapter 2, the term "work" has the same meaning as interpreted by the United States Supreme Court for purposes of the Fair Labor Standards Act and the Portal-to-Portal Act of 1947.

Senate: Placed on Senate Commerce and Labor Committee calendar for 2/27/2024

House: Placed on cal. Commerce Committee for 2/27/2024

**Position:** **Support**

**SB2017(Reeves)/HB2113(Powers)--Statutes of Limitations and Repose-**

**- SB2017/HB2113** shortens the statute of limitations for claims for unpaid wages, for hours worked, overtime, minimum wage, salary, bonuses, commissions, or other compensation owed to an employee or independent contractor, including causes of action for breach of contract, unjust enrichment, or quantum meruit to be brought within three years of accruing.

Senate: Placed on Senate Judiciary Committee calendar for 2/27/2024

House: Placed on s/c cal Civil Justice Subcommittee for 2/27/2024

**Position:** **Support**

**SB2909(Bailey)/HB2306(Vaughan)--Commerce & Insurance--** [SB2909/HB2306](#) as amended would establish a Tennessee Workers Compensation Self-Insured Guarantee Fund for employers that self-insure their WC liability. Employers currently are required to annually post collateral with the Tennessee Department of Commerce & Insurance which are used in the rare case of a bankruptcy ensuring employees receive WC benefits. This proposal is similar to WC guarantee funds established in a number of other states and Chamber members have expressed this approach can help free up capital and save costs while maintaining protections for employees. .

Senate: Recommended for passage with amendment/s, refer to Senate Calendar Committee

House: Placed on cal. Commerce Committee for 2/27/2024

**Position:** **Support**

**SB2615(Niceley)/HB2798(Hulsey)--Consumer Protection--** [SB2615/HB2798](#) prohibits a person selling or offering for sale goods or services at retail, and who employs at least six employees, from requiring a buyer to pay using credit for in-person transactions. Requires a person selling or offering for sale goods or services at retail to accept legal tender when offered by the buyer as payment. Details those violations treated as a prohibited practice under the Tennessee Consumer Protection Act of 1977.

Senate: Passed on Second Consideration, refer to Senate Commerce and Labor Committee

House: Placed on s/c cal Banking & Consumer Affairs Subcommittee for 2/27/2024

**Position:** **Opposed**

**SB1946(Walley)/HB2057(Carr)--Property Assessors--** [SB1946/HB2057](#) replaces the six-year reappraisal cycle with the requirement for counties to choose between a reappraisal program that requires reappraisal to occur once per year, once every two years, once every three years, or once every four years.

Senate: Placed on Senate State and Local Government Committee calendar for 2/27/2024

House: Placed on Senate State and Local Government Committee calendar for 2/27/2024

**Position:** **Monitoring**

**SB2859(Roberts)/HB1841(Ragan)--Public Contracts--** [SB2859/HB1841](#) prohibits certain foreign entities from submitting bids for contracts with the state or a political subdivision of the

state. Requires entities bidding on contracts to make certain disclosures and certifications related to the entities' business relationship with certain foreign entities. Provides for civil penalties if the disclosures or certifications are false.

Senate: Passed on Second Consideration, refer to Senate State and Local Government Committee

House: Action Def. in s/c Public Service Subcommittee to 3/5/2024

**Position:** Monitoring

**SB1717(Hensley)/HB1730(Capley)--English Only Driver License Examinations-**

**-SB1717/HB1730** requires all written driver license examinations to be administered in English only. Prohibits use of a translation dictionary, electronic device, or interpreter to assist with the examination.

Senate: Placed on Senate Transportation and Safety Committee calendar for 2/28/2024

House: Sponsor(s) Added on 02/06/2024

**Position:** Opposed

**SB2431(Powers)/HB2707(Garrett)--Consumer Protection/AI--SB2431/HB2707**

requires a person to include a disclosure on certain content generated by artificial intelligence that the content was generated using artificial intelligence. Makes it an unfair or deceptive act or practice under the Tennessee Consumer Protection Act of 1977 to distribute certain content generated using artificial intelligence without the required disclosure.

Senate: Passed on Second Consideration, refer to Senate Commerce and Labor Committee

House: Assigned to s/c Banking & Consumer Affairs Subcommittee

**Position:** Monitoring

**SB2678(White)/HB2747(Vaughan)-- Tennessee Artificial Intelligence Advisory Council**

**Act-- SB2678/HB2747** Creates the Tennessee Artificial Intelligence Advisory Council and specifies membership of the council. Requires the council to submit an action plan to the governor to address how to position this state competitively to ensure its citizens capture the full economic benefit from artificial intelligence opportunities and to address how to responsibly leverage artificial intelligence to improve the efficiency of state and local government services.

Senate: Passed on Second Consideration, refer to Senate Government Operations Committee

House: Assigned to s/c Business & Utilities Subcommittee

**Position:** Support

**SB2858(Roberts)/HB2615(Ragan)--Motor Vehicle Consumer Privacy Act of 2024-**

**-SB2858/HB2615** Creates the "Motor Vehicle Consumer Privacy Act of 2024" which requires the Tennessee Public Utility Commission (TPUC) to establish and provide for the operation of a database to compile a list of the names and contact information of purchasers of new motor vehicles in this state who object to the use of their personal data and information by a motor vehicle manufacturer. Requires TPUC to have the database in operation no later than January 1, 2025.

Senate: Passed on Second Consideration, refer to Senate Commerce and Labor Committee

House: Placed on s/c Banking & Consumer Affairs Subcommittee for 2/27/2024

**Position:** Opposed

**SB2096(Johnson)/HB2091(Lamberth)--Trade Regulation/AI-- SB2096/HB2091**

Enacts the "Ensuring Likeness, Voice, and Image Security Act of 2024" (ELVIS Act). Specifies that any person who knowingly uses or infringes upon the use of an individual's voice, in any manner directed to any person other than such individual, for purposes of advertising products, merchandise, goods, or services, or for purposes of fundraising, solicitation of donations, purchases of products, merchandise, goods, or services, without such individual's prior consent, or, in the case of a minor, the prior consent of such minor's parent or legal guardian, or in the case of a deceased individual, the consent of the executor or administrator, heirs, or devisees of such deceased individual, is liable to a civil action. Part of Administration Package.

Senate: Placed on Senate Commerce and Labor Committee calendar for 2/27/2024

House: Placed on cal. Commerce Committee for 2/27/2024

**Position:** Neutral

**SB2100(Johnson)/HB1892(Lamberth)--Safety-- SB2100/HB1892** As introduced, authorizes the use of certain third-party examiners, inspectors, engineers, and professionals in lieu of a



local or state examiner, inspector, engineer, or professional for certain permitted processes and requirements; establishes procedures and requirements for the use of a third-party examiner, inspector, engineer, or professional.

Senate: Recommended for passage with amendment/s, refer to Senate Calendar Committee

House: Placed on s/c cal Business & Utilities Subcommittee for 2/27/2024

**Position:** Monitoring

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