

CAPITOL UPDATE

TCSA'S WEEKLY CAPITOL UPDATE



January 31 - February 3, 2022

County Commissioners Conflict of Interest

A bill (HB1684) by majority leader Rep. William Lamberth was recommended this week by the Cities and Counties Subcommittee. Under current law, a county employee or spouse of a county employee cannot vote on budgets or amendments that directly apply to their department.

However, they are not prohibited from voting on the entire county budget, appropriation resolution or tax rate resolution. This bill would require them to declare their conflict when voting on one of these resolutions or an amendment to one of them. The bill will be heard next by the House Local Government Committee.

Limitations on Eminent Domain

A bill that would prohibit the use of eminent domain for trails, paths, or greenways in some cases was deferred for a week in the House Civil Justice Subcommittee.

The bill (HB1542) by Rep. Weaver prevents the use of eminent domain for the purposes listed above unless the private property being condemned runs alongside a highway, road or street. This bill is not currently scheduled for a hearing in the Senate.

READ ON AND KEEP YOURSELF UPDATED!

Conflict of Interest

1

Limitations on Eminent Domain

1

Alternative Notices for County Commission Meetings

2

Ground Ambulance Assessment

2

Regulation of Churches

2

Regulation of Party Vehicles

3



Ground Ambulance Assessment

The annual bill to levy an assessment on ambulance services was recommended by the Insurance Subcommittee this week. The assessment is levied each year in the same manner as similar assessments on hospitals and nursing homes. The funds raised from these assessments are used to draw down additional federal funds through TennCare reimbursement. The bill (HB1719/SB1872) by Rep. Reedy and Sen. Yager will be heard next by the full House Insurance Committee.

Alternative Notice for County Commission Meetings

In response to complaints raised by his county that it is having difficulty getting timely publication of notice of meetings of the county commission in local papers, Rep. Cepicky of Maury County filed a bill (HB1677) this year to allow for alternative methods of providing notice. As originally proposed, the bill would allow the county to post notices of meetings on social media.

In response to concerns raised by the Tennessee Coalition for Open Government about access to social media, an amendment was proposed to allow the county to post notice of meetings on the county's website when print publication of notices cannot be done in a timely manner, provided that the county also post a notice at a location like the courthouse where the public is likely to see it. The Local Government Committee approved the bill this week with the amendment and forwarded it to Calendar and Rules. That committee scheduled the bill for a floor vote in the House on Monday night, February 7th.

Regulation of Churches

A bill by Rep. Casada (HB1694) would prohibit the state or a political subdivision of the state from prohibiting or imposing additional restrictions on the lawful operations of a church or religious organization during a state of emergency, major disaster or natural disaster.

Governor Lee's executive orders related to COVID-19 were always carefully crafted to exempt churches and religious institutions from any bans on large group gatherings. Still, this bill would amend the law to prohibit that kind of limitation in the future. The bill was recommended by the Public Service Subcommittee and sent to the full State Government Committee for debate on February 8th.



Bill to Allow Regulation of Party Vehicles Progresses

The bill that would allow cities, counties and metropolitan governments to regulate entertainment vehicles moved forward out of the House Finance Subcommittee this week and has been scheduled for a hearing in the full House Finance Committee next week. It is also scheduled to be heard in the Senate State and Local Government Committee on the same day.

The bill (HB1392/SB825) by Rep. Freeman and Sen. Yarbro of Nashville adds “entertainment transportation” vehicles to the types of passenger service that local governments can regulate, alongside other passenger-for-hire services like taxis and buses. The bill has a fiscal note showing a permissive increase in both local government costs and revenues if a city or county chooses to enact a regulatory process for these vehicles, which is why it was referred to the Finance Committee.