

COMMISSION on AGING and DISABILITY

LEGISLATIVE REPORT

Report No. 2007-5

March 30, 2007

This report on bills deemed of interest to older persons and disabled adults is compiled periodically during the regular session of the 105th General Assembly. The inclusion or exclusion of any information in this report does not constitute official endorsement for that particular legislative action by the Commission on Aging and Disability or its staff. This report is compiled and distributed solely for general public information purposes.

Status of Legislation of Interest of the 105th General Assembly, 2007

1. **SB0001 by Jackson / HB0001 by Maddox.** Authorizes the legislative body of local governments to “freeze” property tax liability for individuals 65 years of age or older who own the property as their primary residence and have an annual income of \$60,000 or less. - Amends TCA Title 67, Chapter 5, Part 7. SB0001 was referred to the Senate State & Local Gov. Comm. On 0/20/07. On 3/28/07, HB0001 was placed on the subcommittee calendar of Local Government of State and Local Government for 04/04/2007.
2. **SB0889 by *Ketron / HB0365 by Rowland.** Clarifies that only disabled drivers, disabled passengers, and qualified operators acting under express direction of such disabled persons who are present as passengers are allowed to use disabled parking spaces. - Amends TCA Title 55, Chapter 21, Part 1. SB0889 was referred to the Senate Transportation Committee on 02/12/07. On 03/22/07, HB0365 passed House and was engrossed and ready for transmission to Senate.
3. **SB1078 by Johnson / HB0897 by Sargent.** Authorizes local governments to implement the recently adopted constitutional amendment permitting local programs of tax relief to certain elderly homeowners. - Amends TCA Title 67, Chapter 5, Part 7. SB1078 was filed and introduced on 01/08/07. HB0897 was assigned to s/c Local Government of S&LG on 02/21/07.
4. **SB0308 by Finney / HB2063 by Burchett and Armstrong.** Creates the department of aging and disability and transfers to that department the duties of the commission on aging and disability. - Amends TCA Title 4; Title 8; Title 13; Title 33; Title 34; Title 49; Title 55; Title 56; Title 67; Title 68 and Title 71. SB0309 was placed on Senate Government Operations Committee calendar for 04/04/2007. HB2063 was placed on the calendar for Government Operations for 04/04/2007.
5. **SB1405 by Kilby / HB1023 by Ferguson.** Establishes a pilot project for home and community-based services for 200 elderly citizens in an urban county. - Amends TCA Title 71. SB1405 was referred to General Welfare, Health and Human Resources Committee on 02/12/07. HB1023 was assigned to Public Health and Family Assistance of Health and Human Resources on 02/21/07.
6. **SB0002 by Norris / HB1033 by DeBerry.** Authorizes counties and municipalities to adopt by resolution or ordinance a program of property tax relief for certain elderly homeowners. - Amends TCA Section 67-5-705. SB0002 was referred to State and Local Government

Committee on 01/20/07. On 03/28/07, HB1033 action was placed on calendar for State and Local Government for 04/04/2007.

7. **SB1476 by Tate / HB1532 by DeBerry, Lois.** Makes various changes to laws addressing the safety of senior citizens, including safe housing and health care facilities and freedom from exploitation and abuse. - Amends TCA Title 4; Title 33; Title 63; Title 68 and Title 71. SB1476 was referred Senate General Welfare, Health and Human Resource Committee on 02/12/07. HB1532 was assigned to Public Health and Family Assistance of Health and Human Resources on 02/27/07.
8. **SB0334 by McNally / HB1346 by Shepard.** Requires hospitals, during the fall and winter months, to offer elderly inpatients certain immunizations for flu and pneumococcal diseases. - Amends TCA Title 68, Chapter 11, Part 2. SB0334 passed Senate on 3/19/2007, and was engrossed and ready for transmission to the House on 03/20/07. It was received from Senate and held on the House desk on 03/21/07. On 3/27/07, HB1346 was placed on regular calendar for 04/02/2007.
9. **SB2191 by Kyle and Burks / HB2248 by Odom.** Revises what constitutes the offense of abusing, neglecting, or exploiting an adult; changes criminal classification from a Class A misdemeanor to a Class E felony. - Amends TCA Title 71, Chapter 6, Part 1. SB2191 was referred to Senate Judicial Committee on 02/22/07. On 03/27/07, HB2248 action was deferred in subcommittee Civil Practice and Procedure of Judiciary to 4/10/2007.
10. **SB1579 by Herron / HB2137 by Fitzhugh.** Implements the recently adopted constitutional amendment that authorizes counties and cities to implement programs of tax relief for certain elderly homeowners. - Amends TCA Section 67-5-705. SB1579 was filed, introduced, and passed first consideration on 02/08/07. HB2137 was assigned to State and Local Government on 03/06/07.
11. **SB1050 by Finney / HB1629 by Pitts.** Increases elderly income level on which tax relief can be sought from not exceeding \$20,000 in tax year 2006 to not exceeding \$22,500 in tax year 2008; increases value of elderly residence on which tax relief is available from \$25,000 to \$30,000. - Amends TCA Section 67-5-702. SB1050 was referred to the Senate Tax Subcommittee on 3/20/2007. HB1629 was assigned to State & Local Government on 02/28/07.
12. **SB0600 by Woodson / HB1960 by Armstrong.** The department of health is authorized to contract with the National Foundation of Dentistry for the Handicapped (NFDH), or other appropriate and qualified nonprofit organization, to establish and administer a donated dental services program through which volunteer dentists, licensed by the state pursuant to this chapter, will provide comprehensive dental care for needy, disabled, elderly and medically compromised individuals that do not have dental insurance and are not eligible for coverage of dental services through another state or federal medical assistance program. Amends TCA Title 63, Chapter 5. On 03/07/07, SB0600 was assigned to the General Subcommittee of the Senate General Welfare, Health and Human Resources Committee. On 03/28/07, HB1960 was placed on the calendar of Government Operations Committee for 04/04/2007.
13. **SB1156 by Black / HB1349 by Overbey.** Authorizes individuals who are eligible for services through a home and community based services waiver to be placed in an assisted care living facility. - Amends TCA Section 68-11-201. SB1156 passed the Senate with

Amendments on 03/19/07, was engrossed and ready for transmission to the House on 03/20/07. On 3/26/07, the House placed SB1156 on regular calendar for 3/29/07; on 3/29/07, amendment no. 1 was withdrawn and the bill passed and was enrolled and ready for signatures on 3/29/07.

14. **SB1157 by Black / HB0941 by Maggart.** Authorizes the commission on aging and disability to develop a five-year home and community-based care pilot project for a project that fosters independence for disabled persons needing long-term supports and services and their families. - Amends TCA Title 33; Title 68 and Title 71. On 3/28/07, SB1157 was placed on Senate General Welfare, Health and Human Resources Committee calendar for 04/04/2007. HB0941 was assigned to Public Health and Family Assistance of Health and Human Resources on 02/21/07.
15. **SB1145 by Crutchfield / HB1370 by Kernell.** Establishes a "money follows the person" procedure and other mechanisms for nursing home or community care for persons with Medicaid; authorizes nurses to delegate certain health maintenance activities. - Amends TCA Title 63 and Title 71. On 3/28/07, SB1145 was assigned to general subcommittee of Senate General Welfare, Health and Human Resources Committee. On 3/21/07, HB1370 action was deferred in Public Health and Family Assistance of Health and Human Resources to 4/11/2007.
16. **SB2117 by Harper / HB2015 by Kernell.** Sunset Laws - Commission on Aging, June 30, 2011. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2. SB2117 was referred to Senate Governmental Operations Committee on 02/22/07. SB2117 was referred to Senate Governmental Operations Committee on 02/22/07. HB2015 was referred to Governmental Operations on 02/22/07.
17. **SB0106 by Burchett.** Under present law, a person commits the Class C felony, aggravated assault, who intentionally causes serious bodily injury to another or uses or displays a deadly weapon while in the commission of the Class A misdemeanor, assault. This bill expands the type of conduct that constitutes aggravated assault by adding a person causing or attempting to cause bodily injury to an elderly, pregnant, or disabled person or any person with whom the suspect has a family relationship by strangulation. An actual injury caused by strangulation is not required to support a conviction for aggravated assault under this bill. Amends TCA Title 39, Chapter 13. SB0106 was referred to the Senate Judicial Committee on 02/07/07.

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