



# TACIR

The Tennessee Advisory Commission  
on Intergovernmental Relations



# 3B

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## *MEMORANDUM*

**TO:** Commission Members

**FROM:** Lynnise Roehrich-Patrick  
Executive Director

**DATE:** 11 June 2014

**SUBJECT:** Amendment to 2014 Work Program

The following amendments to the 2014 work program are submitted for your approval:

- Replace the study of municipal boundary changes and comprehensive growth plans begun in response to Public Chapter 441, Acts of 2013, with the continued study directed by **Public Chapter 707, Acts of 2014**. Due February 15, 2015.
- Incorporate the study of homeowners associations directed by House Resolution 0170 by Moore during the 107<sup>th</sup> General Assembly into the new study of those associations directed by **House Bill 2070** by Farmer (Senate Bill 2110 by Bowling). House Bill 2070 was referred by the Local Government Subcommittee of the House. An amendment adopted by the Senate State and Local Government Committee would have directed TACIR to complete a comprehensive study on the laws and regulations, or lack thereof, regarding homeowners associations (HOAs) in Tennessee. The study, due by January 2015, was to include looking at issues involving taxes, structure, administration, and accounting practices of HOAs. The same amendment was recommended by the House subcommittee. The bill was calendared but never taken up on the floor of the Senate.
- Add the following studies requested by the 108<sup>th</sup> General Assembly during the 2014 legislative session:
  - **House Bill 1649** by T. Hill (Senate Bill 1749 by Niceley), allowing fire sprinkler exemptions for certain places of worship, referred to the Commission for summer study by the Local Government Subcommittee of the House. The subcommittee did not specify a due date.
  - **Senate Bill 1935** by Johnson (House Bill 2250 by Casada), which would have given local legislative bodies a line-item veto over administrative spending in a school district's proposed budget when that spending exceeds 10% of the total proposed budget. Referred by the Senate State and Local Government Committee. Due January 2015.

- **House Bill 1855** by Ryan Williams (Senate Bill 1840 by Norris), which would have created civil causes of action against any person who physically invaded the privacy of another or who attempted to capture a visual image, sound recording, or any other physical impression of a person engaging in personal or familial activities. Referred by the Civil Justice Committee of the House. Due January, 2015.
- **Senate Bill 1671** by Southerland and its companion, **House Bill 1390** by Faison, which would have required local property assessors to exclude the value attributable to low-income housing tax credits from properties' total assessed values. The Finance, Ways and Means Committee of the Senate sent Senate Bill 1671 to the Commission for summer study, and Senate Bill 1671 was referred by the Finance, Ways and Means Subcommittee of the House. Neither committee specified a due date.
- **House Bill 2457** by Lundberg, which would have created the Uninsured Motorist Identification Database Program, administered by the department of revenue with the assistance the cooperation of the departments of safety and commerce and insurance, and maintained by a contractor. The Department of Safety would use the database to enforce compliance with the state's Financial Responsibility Law, which requires drivers to have insurance or other coverage (including a cash deposit or bond held by the Department of Safety), revoking registrations of uncovered motorists. The House Transportation Subcommittee referred the bill to the Commission for summer study, but did not specify a due date was given. The Senate Commerce and Labor Committee created a separate summer study committee for the companion bill.
- **Public Chapter 795, Acts of 2014**, which creates a new funding mechanism for emergency communications services in Tennessee and requires the Commission to study and report its conclusions to the joint committee on government operations on or before September 15, 2017, regarding the following matters:
  1. whether the 911 surcharge is generating adequate revenue to cover the costs of the services, equipment, maintenance and improvements needed to provide a uniform, stable and effective statewide 911 system;
  2. whether the expansion of 911 system functionality resulting from implementation of IP-based next generation 911 technology has increased or decreased costs for emergency communications districts;
  3. whether there is a need or benefit to consolidate emergency communications districts or PSAPs;
  4. whether the 911 surcharge is generating more revenue than necessary to implement the purpose of this act and can be reduced to the benefit of communications consumers;
  5. whether a flat rate communications services surcharge is the best manner in which to fund 911 system costs or whether such costs should

- be funded by a percentage surcharge or a different source, such as water service, electric power service or state general funds or local taxes;
6. whether the board membership of the state emergency communications board should be amended to include other stakeholders such as telecommunications providers, emergency communications districts that dispatch, and other interested parties;
  7. whether there is a need or benefit for the board to have the ability to raise the 911 surcharge rate should there be a financial reason to do so;
  8. whether there is a need or benefit for the providers of communications services to register with the board prior to providing service; and
  9. whether there is a need or benefit for providers of communications services to notify the board when there is a known service interruption.
- **The Healthy Workplace Act** (Senate Bill 2226 by Kyle and House Bill 1981 by Parkinson; not yet chaptered), which directs the Commission to develop a model policy for employers to prevent abusive conduct in the workplace in consultation with the Department of Human Resources and municipal and county organizations including, but not limited to, the Tennessee Municipal League, the Tennessee County Services Association, the Municipal Technical Advisory Service, and the County Technical Assistance Service. If a state agency or local government adopts the model policy or one that conforms to its requirements, then the employer shall be immune from suit for any employee's abusive conduct that results in negligent or intentional infliction of mental anguish. Due March 1, 2015.