



## 2023 Legislation Quick Reference Guide

<b>Public Chapter</b>	<b>Category</b>	<b>Summary</b>	<b>Effective Date</b>
<a href="#">PC 367</a>	School Safety	Gov. Lee’s Comprehensive School Safety Bill	07.01.2023
<a href="#">PC 423</a>	Drugs	Hemp Cannabinoids Regulation and New Criminal Offenses. Delta 8, etc.	07.01.2023 for new crimes. 07.01.2024 for licenses
<a href="#">PC 149</a>	Firearms	Amends TCA 39-17-1309 to allow part-time employees of public institutions of higher education to carry a handgun if the employee is a retired LEO with 20 years service and retired in good standing	07.01.2023
<a href="#">PC 218</a>	Firearms	Authorizes a person who is not prohibited from possessing a handgun to carry while hunting in certain circumstances as long as the handgun is not used for taking of game.	07.01.2023
<a href="#">PC 193</a>	Technology	Expands LE’s ability to use other LPR vendors on state routes. The LE agency must demonstrate to TDOT that the vendor meets the minimum standards in the statute.	07.01.2023
<a href="#">PC 223</a>	Technology	Prohibits state and local agencies from purchasing drones produced by a manufacturer banned under the federal National Defense Authorization Act of 2019. The bill grandfathers in noncompliant drones (DJI) purchased before July 1, 2023.	07.01.2023
<a href="#">PC 256</a>	Drugs	Current law prohibits needle exchange programs within 2,000 feet of a school or park. This bill reduces that to 1,000 feet except in Kingsport (remains at 2,000 ft.)	07.01.2023
<a href="#">PC 258</a>	Drugs	Requires at least one member of the MMJ Commission to be a patient with a qualifying medical disease or condition.	07.01.2023
<a href="#">PC 412</a>	Drugs	Makes it a Class A MISD to possess xylazine and a Class C FEL to manufacture, deliver, or sell xylazine or possess with intent. Exception created for veterinarians and those who they prescribe xylazine to.	07.01.2023

<a href="#">PC 132</a>	Benefits / TCRS	Allows local governments to fund a benefit improvement (increase in pension liability) by amortizing the unfunded liability over a period of up to 10 yrs from the date that the benefit improvement is adopted by the employer. Does NOT apply to the Bridge Supplement.	07.01.2023
<a href="#">PC 387</a>	Benefits / TCRS	Extends the LE Return to Work Program until June 30, 2025. Employer may pay 100% of the rate of compensation and the retirement benefit is reduced to 70% of the retirement allowance.	07.01.2023
<a href="#">PC 372</a>	Benefits / TCRS	Creates an \$800 pay supplement for full-time EMS personnel after 40 hrs of in-service training. Applies to EMTs / paramedics, ambulance drivers and attendants, and public safety telecommunicators	01.01.2024
<a href="#">PC 243</a>	Criminal	Silas Gable Flatt Law – creates a new A MISD for providing a vehicle to a person who is under the influence or has their DL suspended / revoked	07.01.2023
<a href="#">PC 264</a>	Criminal – Juv.	Authorizes a juvenile court to transfer a child who is 16 years of age or older to adult criminal court for committing the offense of escape from a DCS certified or licensed youth development center.	07.01.2023
<a href="#">PC 318</a>	Criminal Enhancement	Amends TCA 40-35-114 (enhancement factors for sentencing) to add LEOs while engaged in the performance of official duties as a LEO for certain person offenses	07.01.2023
<a href="#">PC 349</a>	Criminal	Amends “course of conduct” definition under stalking to include one instance of placing an electronic tracking device on a person or a person’s property. Ex. – Apple Air Tag	07.01.2023
<a href="#">PC 64</a>	Criminal	Sgt. Chris Jenkins Law - a person who operates a vehicle on a public road while transporting a ladder on the vehicle or in an open bed or trailer commits an offense if the ladder falls onto the roadway and causes or contributes to a motor vehicle accident	07.01.2023
<a href="#">PC 260</a>	Bail	Amends TCA 40-11-139 - Requires FTA bench warrant on a felony or on an A MISD or B MISD that is violent or sexual to be in NCIC within 10 days of the DEFENDANT’S FAILURE TO APPEAR. If not done, the surety comes off the bond. Requires arresting agency to exercise due diligence to determine any prior arrest or conviction before a bail determination is made	07.01.2023
<a href="#">PC 304</a>	Criminal	Creates a new Class A MISD offense to possess a device, tool, machine, implement, or other item capable of programming a smart key or key fob with the intent to use it or allow it to be used to commit theft	07.01.2023
<a href="#">PC 65</a>	LE Profession	To run for constable, you must obtain a psychological exam and file a letter from the psychologist that the	07.01.2023 grandfathers

		candidate is mentally and cognitively fit to perform the duties	in current constables
<a href="#">PC 87</a>	School Safety	Authorizes a county or municipality to enter into a contract or MOU with private schools to provide SROs. All employment standards remain the same. A private school may cover the cost of the SRO	03.31.2023
<a href="#">PC 427</a>	Sentencing / Jail	Pretrial behavioral credits are no longer automatic. The jail administrator must notify TDOC of what if any credits were earned and TDOC can only award the number of days authorized by the JA. The amount per month remains the same at 8 days	07.01.2023
<a href="#">PC 402</a>	Sentencing / Jail	Creates a new and autonomous, full-time, 9-member inmate disciplinary oversight board that has the authority to review and remove sentence credits for Class A disciplinary offenses or for an inmate's refusal to participate in an assignment. The purpose of the board is to review the grant, denial, and removal of inmate sentence credits. The salary for board members is \$120k with a COLA every 2 years	01.01.2024
<a href="#">PC 299</a>	School Safety	Amends TCA 49-6-3401(g)(2) to add threat to mass violence under TCA 39-16-517 to the list of zero tolerance offenses resulting in expulsion for one year.	07.01.2023
<a href="#">PC 378</a>	Local Gov't	TN Local Development Authority Public Safety Protection Act of 2023. Low cost bonds can cover equipment costs for public safety officers	07.01.2023
<a href="#">PC 116</a>	Criminal – DUI	Requires transdermal monitoring for a minimum of 90 days on a 3 <sup>rd</sup> or subsequent DUI. Cost must be paid by defendant.	07.01.2023
<a href="#">PC 117</a>	LE Profession	Adds “emergency communication dispatcher” to the list of persons eligible to obtain an emergency license plate	07.01.2023
<a href="#">PC 153</a>	School Safety	Amends 49-6-4301 which requires teachers to report assaults and vandalism to the principal to now also include the director of schools	04.13.2023
<a href="#">PC 155</a>	Criminal Enhancement	Amends Especially Agg. Kidnapping, Agg. Rape, and Rap to require sentencing at no less than a Range II	07.01.2023
<a href="#">PC 179</a>	Technology	Amends 55-8-151 (relative to installation of cameras on the exterior of school buses for capturing violations of unauthorized passing) to permit a private vendor to purchase, install, operate, and maintain cameras on the exterior of a school bus whether owned, contracted, or leased by the LEA as well as provide other services related to these violations	07.01.2023
<a href="#">PC 188</a>	Drugs	Extends the TN Together opioid prescription limits with some minor changes	04.05.2023
<a href="#">PC 212</a>	LE	Creates the Sexual Assault Response Team Act and requires each LE agency to set up a SART by Jan. 1, 2024	04.25.2023

<a href="#">PC 242</a>	Criminal	Amends 39-17-311, desecration of a venerated object, by changing it from “intentionally desecrates” to “intentionally, knowingly, or recklessly desecrates”	07.01.2023
<a href="#">PC 27</a>	LE Profession	Amends 38-8-107 to require POST evaluate an applicant’s out of state LE training, practical experience, and education. After that examination, may issue a certificate. Adds a new section to 38-8-107 prohibiting POST from issuing a certificate to a person who is decertified in another state if it’s as a result of criminal or other misconduct. Requires a check of the National Decertification Index as part of the investigation conducted by the employing agency	03.10.2023
<a href="#">PC 270</a>	Drugs	Makes certain, limited statements regarding marijuana use to a medical professional inadmissible as evidence.	04.28.2023
<a href="#">PC 287</a>	Traffic	Amends TCA 55-9-405 relative to lighting and flags on trucks transporting logs/poles	10.01.2023
<a href="#">PC 302</a>	Criminal Enhancements	Increases penalties for vandalism of critical infrastructure offense (39-14-411)	07.01.2023
<a href="#">PC 308</a>	Criminal Enhancements	Increases penalty for Vol. Manslaughter from Class C FEL to Class B FEL	07.01.2023
<a href="#">PC 326</a>	LE	Requires LE to have a policy that prohibits using a drone as a weapon. Excludes drones / robots used to remotely detonate an explosive device.	04.12.2023
<a href="#">PC 335</a>	Criminal	Amends the Animal Cruelty statute (39-14-202) to make it an offense to intentionally or knowingly fail to unreasonable provide access to shelter for a dog that resides primarily outdoors	07.01.2023
<a href="#">PC 354</a>	Traffic	Amends 55-8-132 relative to yielding to approaching emergency vehicles by increasing the minimum fine for a 1st violation from \$100 to \$250 and making a 2nd violation a flat \$2,500 fine. Adds requirement for drivers approaching a stationary vehicle using flashing hazard lights to yield the right of way by making a lane change into a lane not adjacent to the stationary vehicle, if possible; or reduce the speed of the vehicle to safe speed if lane change isn’t possible	07.01.2023
<a href="#">PC 362</a>	Bail	No ROR w/o approval of sessions, criminal, or circuit judge for A and B FEL, Agg. Assault, and felony DV Assault	07.01.2023
<a href="#">PC 383</a>	Criminal	Amends BUI law to more closely align with DUI	07.01.2023
<a href="#">PC 386</a>	Drugs	One Pill Will Kill Act - Adds fentanyl, carfentanil, remifentanil, alfentanil, or thiafentanil to the list of substances (cocaine & meth) which if possessed for resale, sold, delivered, or manufactured constitutes a Class B felony and \$100k fine. An offense involving any	07.01.2023

		of these substances is now a Class C felony and possible \$100k fine	
<a href="#">PC 41</a>	Drugs	Amends 63-1-156, regarding immunity from prosecution for persons seeking medical assistance for someone experiencing a drug overdose. This permits the immunity to apply to subsequent overdoses at the discretion of the responding LE officer or DA's Office	07.01.2023
<a href="#">PC 413</a>	Criminal Enhancements	Amends 39-17-315 to elevate Stalking to Agg. Stalking when the victim of the offense was 65 years or older at any time during the course of conduct	07.01.2023
<a href="#">PC 416</a>	Criminal	Removes Davidson County exception that allowed a judge to sentence a DUI offender to 200 hrs of community service in lieu of the minimum period of confinement. Amends the Transporting Litter Law (39-14-507). Makes vehicular homicide or leaving the scene of an accident involving death or personal injury a 100% offense.	07.01.2023
<a href="#">PC 417</a>	Bail	Bail agents cannot be convicted of a felony or two or more A or B MISD within 5 years and sit for continuing education classes. Requires a criminal history check for agents w/in 90 days of attending classes.	07.01.2025
<a href="#">PC 440</a>	Criminal	Amends Domestic Assault to require 30 day mandatory min if the act involved strangulation. Allows agg. Assault to be prosecuted as attempted 1 <sup>st</sup> or 2 <sup>nd</sup> degree murder if victim loses consciousness due to strangulation. Increase Agg. Assaults to B FEL if victim is pregnant. No ROR.	07.01.2023
<a href="#">PC 454</a>	LE	Preempts COB's and sets a state standard for police advisory review committees	07.01.2023
<a href="#">PC 282</a>	General	Creates a confidentiality between an advocate and a victim of HT, sexual assault, domestic violence, and stalking. Confidentiality can be broken if the information is relevant to a criminal case or proceeding brought by DCS and cannot be obtained by other means. Doesn't apply to CAC advocates or CPIT members	07.01.2023
<a href="#">PC 408</a>	General	Sets guidelines on how private companies can retain and use personal information. Customer may opt-out of their personal info being used. May impact LE when utilizing "public source" information during an investigation	07.01.2025
<a href="#">PC 324</a>	General	Genetic Information Privacy Act	07.01.2023
<a href="#">PC 209</a>	Criminal	Changes the definition of sexual activity in 39-13-529 (Sexual Exploitation of a Minor via Electronic Means)	07.01.2023
<a href="#">PC 459</a>	Criminal	Criminal Exposure to HIV offense is no longer a registerable offense on the SOR	07.01.2023
<a href="#">PC 283</a>	Criminal	Increases rape and incest to Range II B FEL	07.01.2023

<a href="#">PC 375</a>	Criminal	Sentence of death must be carried out w/in 30 days after the last available appeal or post-conviction relief if certain factors are met	07.01.2023
<a href="#">PC 315</a>	Expungement	Conviction for Illegal Registration/Voting (TCA 2-19-107) may be expunged after 15 years	07.01.2023
<a href="#">PC 356</a>	Expungement	Municipal court may expunge a conviction for a municipal ordinance	07.01.2023
<a href="#">PC 139</a>	Criminal Procedure	Changes from under 13 years old to under 18 years old for admissibility of child forensic interviews. Adds physically violent acts (was just sexual). Adds child who witnesses the act. Broadens the criteria for an examiner. Expands admissibility of forensic interviews to juv. Court proceedings.	04.06.2023
<a href="#">PC 301</a>	Jails	Beginning on January 1, 2024, a prisoner who is on work release or otherwise allowed to leave the grounds for employment / work in the community must be on electronic monitoring. The entity employing the inmate must pay the cost (can reduce from wages). Exempts inmates supervised by armed LE or COs who remain in line of sight.	04.28.2023
<a href="#">PC 461</a>	Jails	TDOC must provide felon inmates with relevant documentation to assist the inmate with employment and shall coordinate with DOS to provide a DL or photo ID.	01.01.2024
<a href="#">PC 50</a>	General	As enacted, clarifies that employees of state governmental entities who are compensated through funding sources other than this state are subject to the Tennessee State Employees Uniform Nepotism Policy Act of 1980; creates criminal and civil penalties for a state employee who violates the Act; authorizes the attorney general and reporter to investigate violations of the Act	07.01.2023
<a href="#">PC 265</a>	General	Vacates and reconstitutes the EMS board	06.30.2023