



State of Tennessee

PUBLIC CHAPTER NO. 461

HOUSE BILL NO. 512

By Representatives Sargent, Casada, McCormick, Hawk

Substituted for: Senate Bill No. 484

By Senators Norris, Watson

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71, relative to statutory revisions required for implementation of the annual appropriations act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-29-151(b), is amended by deleting the subsection in its entirety and substituting instead the following:

The commissioner of health shall direct these funds, subject to the approval of the commissioner of finance and administration, to programs designed to enhance health access. The programs may include, but not be limited to, funding for services provided by federally qualified health centers, recruitment incentives, community initiatives, service-linked training opportunities, support for high technology/telecommunications efforts, prevention initiatives, efforts to improve the built environment, strategies to improve the health of the population, and other strategies to expand primary, obstetric and dental health care services in underserved areas. Pursuant to a finding of need by the commissioner, the health access program may also address the lack of adequate access in underserved areas to other health care providers and health care services such as emergency medicine, mental health care, and prevention treatment services for low income, pregnant substance abusers.

SECTION 2. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following language as a new subsection:

() Notwithstanding the allocations provided for in subsection (a) and § 67-6-710, all moneys received and identified by the commissioner as moneys paid by out-of-state dealers acting in compliance under this chapter with any rule filed with the secretary of state on or after October 1, 2016, and effective on or before January 1, 2017, to give effect to Chapter 789 of the Public Acts of 1988, shall be reported monthly by the commissioner and apportioned into special reserve accounts in the various funds that, pursuant to applicable statutes, share in the proceeds of sales tax collections. Interest earnings on the moneys collected shall be calculated by the division of accounts, department of finance and administration, and allocated monthly to the various fund reserve accounts. Such moneys shall remain in these reserve accounts and shall not revert at the end of any fiscal year; provided, however, such moneys shall be earmarked, allocated and become available for appropriation as otherwise provided in this chapter upon certification by the attorney general and reporter of the happening of any of the following:

(1) The final resolution of any contested case brought before the commissioner under the Uniform Administrative Procedures Act compiled in title 4, chapter 5, or suit challenging application of any rule filed with the secretary of state on or after October 1, 2016, and effective on or before January 1, 2017, to give effect to Chapter 789 of the Public Acts of 1988;

(2) The effective date of a federal law enacted by the United States Congress to regulate the various states' ability to require out-of-state dealers to

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collect the taxes imposed by this chapter, pursuant to its authority to regulate interstate commerce; or

(3) That no party has brought a contested case before the commissioner under the Uniform Administrative Procedures Act compiled in title 4, chapter 5, or a suit challenging application of any rule filed with the secretary of state on or after October 1, 2016, and effective on or before January 1, 2017, to give effect to Chapter 789 of the Public Acts of 1988; provided, however, that any certification under this subdivision () (3) shall not occur before June 30, 2018.

SECTION 3. Tennessee Code Annotated, Section 4-3-1405(d)(2), is amended by deleting the subdivision in its entirety.

SECTION 4. Tennessee Code Annotated, Section 71-5-304(1), is amended by deleting the subdivision in its entirety and substituting instead the following new subdivision (1):

(1) Supervise the administration of the food stamp or food assistance program in this state for eligible recipients;

SECTION 5. Tennessee Code Annotated, Section 4-7-209, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) The salary increase provided by this part and suspended by subsection (a) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification pursuant to this part, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 6. Tennessee Code Annotated, Section 8-7-226, is amended by adding the following as a new, appropriately designated subsection:

(c) The salary increase provided by subsection (a), and suspended by subsection (b) for the period July 1, 2003, through June 30, 2004, is reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification for assistant district attorneys, credible service for the time period of July 1, 2003, through June 30, 2004, is included.

SECTION 7. Tennessee Code Annotated, Section 8-14-107(b), is amended by adding the following as a new, appropriately designated subdivision:

(5) The salary increase provided by subdivision (b)(1), and suspended by subdivision (b)(4) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification for assistant district public defenders, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 8. Tennessee Code Annotated, Section 8-14-107(c), is amended by adding the following as a new, appropriately designated subdivision:

(6) The salary increase provided by subdivision (c)(1), and suspended by subdivision (c)(5) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification for district public defender investigators, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 9. Tennessee Code Annotated, Section 40-30-209, is amended by adding the following as a new subsection:

(e) The salary increase provided by this section and suspended by subsection (d) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification pursuant to this section, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

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SECTION 10. Tennessee Code Annotated, Section 70-1-309, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) The salary increase provided by this section and suspended by subsection (a) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification pursuant to this section, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 11. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 12. Sections 1, 2, 3, 4, and 11 of this act shall take effect upon becoming a law, the public welfare requiring it. All other Sections shall take effect July 1, 2017, the public welfare requiring it.

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PASSED: May 8, 2017

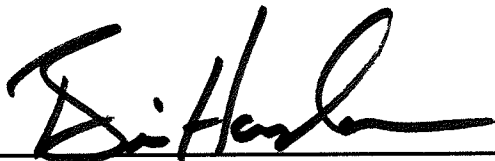


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 25th day of May 2017



BILL HASLAM, GOVERNOR