

SENATE BILL 991

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 58,
relative to businesses.

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

SECTION 1. Tennessee Code Annotated, Title 58, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) Any business that complies with an emergency order to close or reduce capacity by more than fifty percent (50%) pursuant to the emergency management powers of a governmental entity shall receive compensation for any loss of revenue caused by the closure or reduced capacity from the governmental entity responsible for the order.

(b)

(1) Compensation for a total shutdown of a business is calculated as the dollar amount equal to the average daily revenue of the business multiplied by the number of days the business was ordered to close and remained shut down.

(2) Compensation for a partial shutdown of a business is the amount calculated in subdivision (b)(1) and multiplied by the percentage of capacity the business was ordered to reduce.

(c) As used in this section, "average daily revenue" means the annual revenue of the business from the previous fiscal year divided by the number of days in the previous fiscal year.

(d) In order to qualify for compensation, the business must provide proof of the annual revenue received in the previous fiscal year. Satisfactory forms of proof include, but are not limited to, business receipts and tax returns.

SECTION 2. This act takes effect on July 1, 2021, the public welfare requiring it, and applies only to businesses closed or partially shut down pursuant to emergency shutdown orders occurring on or after that date.