



State of Tennessee

PUBLIC CHAPTER NO. 4

FIRST EXTRAORDINARY SESSION

SENATE BILL NO. 89

By Johnson, Watson

Substituted for: House Bill No. 70

By Lamberth, Cochran, Hazlewood, Williams, Gary Hicks, Hardaway, Cepicky, Terry, Lafferty, White, Ragan, Marsh, Raper

AN ACT to make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2023, in the administration, operation, and maintenance of the legislative, executive, and judicial branches of the various departments, institutions, offices, and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations, and restrictions under which appropriations may be obligated and expended. This act makes appropriations for the purposes described above for the fiscal year beginning July 1, 2023.

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

SECTION 1. It is hereby recognized that Senate Bill 85 / House Bill 12, relative to firearm safety, will result in a revenue loss of \$1,600,000 (recurring), if such bill becomes a law.

SECTION 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,100,000 (nonrecurring) to the Department of Safety for the sole purpose of creating and implementing a public safety campaign dedicated to safe firearm storage pursuant to Senate Bill 85 / House Bill 12, if such bill becomes a law. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly. The Department shall submit a report to the Chairs of the Finance, Ways and Means Committee of the Senate and the House of Representatives and the Office of Legislative Budget Analysis on or before February 1 of each year detailing the expenditures made pursuant to this section.

SECTION 3. In addition to funds previously appropriated in Section 60, Item 25 of Chapter 418, Public Acts of 2023, and described on page B-90 of the 2023-2024 Budget Document, there is appropriated the sum of \$10,000,000 (nonrecurring) to the Department of Education to be distributed as school safety grants and used for the same purposes provided in such previous appropriation and in the manner provided in this section. Such funds shall be limited for use by public charter schools without a full-time school resource officer for the 2023-2024 school year prior to the effective date of this act, and by schools within local education agencies without a full-time school resource officer in the school for the 2023-2024 school year prior to the effective date of this act.

SECTION 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$12,131,000 (nonrecurring) to the Department of Mental Health and Substance Abuse Services for the sole purpose of providing sign-on and retention bonuses to prospective or current behavioral health professionals who work for a Department of Mental Health and Substance Abuse Services contracted treatment agency. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly. Further, such funds shall be subject to the following provisions and limitations: the Department shall create a schedule of sign-on and retention bonus amounts according to complexity of positions in the program; shall require a minimum amount of service time after payment of a sign-on bonus; and shall require repayment of bonuses paid if the recipient does not fulfill all conditions of the bonus program. The Department shall submit a report to the Chairs of the Finance, Ways and Means Committee of the Senate and the House of Representatives and the Office of Legislative Budget Analysis at least quarterly, beginning December 31, 2023, detailing the following information

concerning sign-on and retention bonuses issued pursuant to this section: the number of bonus recipients, the bonus amounts, the agency location of recipients, the amount of service time per recipient, the amounts of federal and other departmental revenue and allotments reduced, and a general summary of the impact on program services.

SECTION 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,000,000 (nonrecurring) to the Department of Mental Health and Substance Abuse Services for the sole purpose of providing a public behavioral health scholarship program. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly. Further, such funds shall provide tuition stipends to Tennessee residents pursuing a degree in a behavioral health related field with the requirement that any scholarship recipient shall work for a Department of Mental Health and Substance Abuse Services contracted treatment agency for an amount of time equivalent to the amount of time the recipient received scholarship stipends. The Department shall submit a report to the Chairs of the Finance, Ways and Means Committee of the Senate and the House of Representatives and the Office of Legislative Budget Analysis at least quarterly, beginning December 31, 2023, detailing the following information concerning scholarships issued pursuant to this section: the number of scholarship recipients, the scholarship amounts, the type of degree pursued by each recipient, the location of recipients, the amounts of federal and other departmental revenue and allotments reduced, and a general summary of the impact on program services.

SECTION 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$4,000,000 (nonrecurring) to the Department of Mental Health and Substance Abuse Services for the Behavioral Health Safety Net Program to be used for the provision of mental health services.

SECTION 7. From funds appropriated to the Department of Correction in Section 58, Item 4 in Chapter 418, Public Acts of 2023, there is earmarked the sum of \$30,000,000 (nonrecurring) for the sole purpose of providing school safety grants to public and private institutions of higher education in this state. Grants shall be disbursed by the Department of Finance and Administration to such institutions and must be used for the same purposes as school safety grants appropriated and described in Section 60, Item 25 and Section 60, Item 26 of Chapter 418, Public Acts of 2023, and in Section 3 of this act. The Department shall submit a report to the Chairs of the Finance, Ways and Means Committees of the Senate and the House of Representatives and the Office of Legislative Budget Analysis at least quarterly, beginning October 1, 2023, detailing the following information concerning school safety grants issued pursuant to appropriations made in this item: which institutions of higher education applied for grants; which institutions received or were denied grants; how many days lapsed from receipt of an application until funds were disbursed or a denial was issued; and how the grant funds were used by the institution.

SECTION 8. From funds reverted by TennCare on June 30, 2023, there is earmarked the sum of \$50,000,000 (nonrecurring) for the sole purpose of providing grants to licensed community mental health agencies that contracted with the Department of Mental Health and Substance Abuse Services in fiscal year 2022-2023 to provide mental health services, including assessment, evaluation, diagnostic, therapeutic intervention, case management, and psychiatric medication management. Grants shall be disbursed by the Department of Mental Health and Substance Abuse Services to such licensed community mental health agencies and in amounts in proportion to the contracted services provided by each agency in relation to the amount of contracted services in aggregate during calendar year 2022. Grants received by agencies are to be used by the agencies to provide mental health services and provide bonuses to medical practitioners, as defined in Tennessee Code Annotated § 63-1-201, who provided mental health services through the agency in an amount that is in proportion to the services rendered.

SECTION 9. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000 (nonrecurring) for the sole purpose of implementing Senate Bill 92 / House Bill 26, relative to the reporting of juvenile commitments, if such bill becomes a law. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

SECTION 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,490,000 (recurring) for the sole purpose of implementing Senate Bill 80 / House Bill 27, relative to the court-ordered mental health evaluation and treatment for criminal defendants, if such bill becomes a law. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

SECTION 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,321,500 (recurring) for the sole purpose of implementing Senate Bill 91 / House Bill 32, relative to mental health coverage and reimbursements, if such bill becomes a

law. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

SECTION 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,164,500 (recurring and of which \$9,766,800 shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 77 / House Bill 34, relative to stalking offenses, if such bill becomes a law. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

SECTION 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,405,700 (recurring and of which \$434,700 shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 27 / House Bill 73, relative to blended sentencing for certain juvenile offenders, if such bill becomes a law. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

SECTION 14. From funds appropriated to the Department of Correction in Section 58, Item 4 in Chapter 418, Public Acts of 2023, there is earmarked the sum of \$20,000,000 (nonrecurring) for the sole purpose of implementing Senate Bill 79 / House Bill 35, relative to a student loan repayment grant program for certain eligible licensed physicians, psychologists, and licensed counselors, if such bill becomes a law.

SECTION 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the general assembly for the sole purpose of payment of any lawful expenses, including, but not limited to, staffing, per diem, travel, and other expenses, of the First Extraordinary Session of the One Hundred Thirteenth General Assembly. All expenses for the general assembly, upon the approval of the speaker of the senate, the speaker of the house of representatives, or both when required, shall be paid through the office of legislative administration.

SECTION 16. With regard to funds previously appropriated in Section 54, Item 1-41 and Section 60, Item 26 of Chapter 418, Public Acts of 2023, and described on page B-90 of the 2023-2024 Budget Document, school safety grants may be disbursed and used to reimburse expenditures made to enhance a school's safety and security on or after March 27, 2023.

SECTION 17. 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 18. This act takes effect upon becoming a law, the public welfare requiring it.

FIRST EXTRAORDINARY SESSION

SENATE BILL NO. 89

PASSED: August 29, 2023


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 8th day of September 2023


BILL LEE, GOVERNOR