



**TENNESSEE INTERCOLLEGIATE STATE LEGISLATURE**  
42nd General Assembly  
State Capitol • Nashville

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## **TISL Bill 100**

AN ACT TO AMEND THE TENNESSEE IMMIGRATION LAW:

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

A. For any lawful contact made by a law enforcement official or a law enforcement agency of this state or a law enforcement official or a law enforcement agency of a county, city, town or other political subdivision of this state where reasonable suspicion exists that the person is an alien who is unlawfully present in the United States, a reasonable attempt shall be made, when practicable, to determine the immigration status of the person, except if the determination may hinder or obstruct an investigation. Any person who is arrested shall have the person's immigration status determined before the person is released. The person's immigration status shall be verified with the federal government pursuant to 8 United States Code section 1373©. A law enforcement official or agency of this state or a county, city, town or other political subdivision of this state may not solely consider race, color or national origin in implementing the requirements of this subsection except to the extent permitted by the United States or Tennessee constitution. A person is presumed to not be an alien who is unlawfully present in the United States if the person provides to the law enforcement officer or agency any of the following:

1. A valid Tennessee driver license.
2. A valid Tennessee non-operating identification license.
3. A valid tribal enrollment card or other form of tribal identification.
4. If the entity requires proof of legal presence in the United States before issuance, any valid United States federal, state or local government issued identification.

B. If an alien who is unlawfully present in the United States is convicted of a violation of state or local law, on discharge from imprisonment or on the assessment of any monetary obligation that is imposed, the United States immigration and customs enforcement or the United States customs and border protection shall be immediately notified.

C. Except as provided in federal law, officials or agencies of this state and counties, cities, towns and other political subdivisions of this state may not be prohibited or in any way be restricted from sending, receiving, or maintaining information relating to the immigration status, lawful or unlawful, of any individual or exchanging that information with any other federal, state or local governmental entity for the following official purposes:

1. Determining eligibility for any public benefit, service or license provided by any federal, state, local or other political subdivision of this state.
2. Verifying any claim of residence or domicile if determination of residence or domicile is required under the laws of this state or a judicial order issued pursuant to a civil or criminal proceeding in this state.
3. If the person is an alien, determining whether the person is in compliance with the federal registration laws prescribed by title II, chapter 7 of the federal immigration and nationality act.
4. Pursuant to 8 United States Code section 1373 and 8 United States Code

### **Status**

#### **Committee**

Judiciary

Pending on Calendar

#### **Senate**

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#### **House**

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### **Sponsors**

**Boldface** = Prime Sponsor

#### **Senate**

**Leanne Fairchild, Bryan College**

Anna Haffner, Bryan College

#### **House**

**Barbara Haffner, Lipscomb Univ**

Daniel Grayton, Bryan College

section 1644

D. A person who is a legal resident of this state may bring an action in superior court to challenge any official or agency of this state or a county, city, town or other political subdivision of this state that adopts or implements a policy or practice that limits or restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. If there is a judicial finding that an entity has violated this section, the court shall order that the entity pay a civil penalty of not less than one thousand dollars and not more than five thousand dollars for each day that the policy has remained in effect after the filing of an action pursuant to this subsection.

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# TISL Bill 101

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE, 38, CHAPTER 6, AND TITLE 4, CHAPTER 7, RELATIVE TO DISMANTLING THE TENNESSEE BUREAU OF INVESTIGATION AND THE TENNESSEE HIGHWAY PATROL AND CREATING THE TENNESSEE STATE POLICE AND INVESTIGATIONS.

Whereas the state of Tennessee needs a more encompassing state police department that covers all the functions of the Tennessee Bureau of Investigations and the Tennessee Highway Patrol.

Whereas money will be saved by combining the two agencies removing all redundancies.

Whereas by becoming one police unit, the state police become more coordinated and better able to protect the state from all angles.

Whereas the state can better ensure the safety of its citizens and that all state laws are uphold to their full extent.

Whereas one all-encompassing unit is more efficient than multiple state agencies.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. Tennessee Code Annotated Title 4, Chapter 7 shall be deleted in its entirety.

Section 2. Tennessee Code Annotated, Title 38, Chapter 6, Part 1 is amended by deleting the Part in its entirety and substituting instead the following section

a. There shall be a police force to be known and designated as the Tennessee State Police and Investigations, which shall consist of one (1) chief and such other personnel as may be designated by the commissioner of safety, with the approval of the governor.

Section 3. Title 4, Chapter 7 is amended by transferring parts 1-4 in its entirety to Title 38 Chapter 6 and appropriately designating new sections.

Section 4. Tennessee Code Annotated Title 38, Chapter 6 is amended by deleting the

language "Tennessee Highway Patrol" wherever it appears and substituting instead the language "Tennessee State Police and Investigations".

Section 5. Tennessee Code annotated Title 38, Chapter 6 is amended by deleting the language "Tennessee Bureau of Investigation" wherever it appears and substituting instead the language "Tennessee State Police and Investigations"

Section 6. All services formerly conducted by the both The Tennessee Bureau of Investigation and the Tennessee Highway Patrol will henceforth be performed by the newly created Tennessee State Police and Investigations.

Section 7. All Employees of the previous structures shall be moved into the new organization.

Section 8. Both the Tennessee Bureau of Investigation and the Tennessee Highway Patrol shall be dismantled.

Section 9. This act shall take effect July 1st, 2012.

**Status**

**Committee**

**State & Local Government I**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Gavin Mosley, Middle Tenn State Univ**

**House**

**Patrick Wright, Middle Tenn State Univ**

Alexander Ford, Middle Tenn State Univ

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# TISL Bill 102

This purpose of this bill is to prohibit people from smoking in a car with infants or young children. Since secondhand smoke poses a health risk to ch

## AN ACT TO BAN SMOKING CIGARETTES IN A CAR WHERE CHILDREN ARE PRESENT

WHEREAS, Tennessee has the fifth highest percentage among all the states of adults that are cigarette smokers with 23.1% of adults age 18 and up currently smokers.

WHEREAS, Tennessee Public Health Act 410, also known as the “Non-Smoker Protection Act,” already prohibits smoking in most public places to protect the health of others. WHEREAS, Tennessee has the nation’s fourth--□highest death rate from lung cancer.

### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: TCA Title 55, Chapter 52 is amended by adding the following as an appropriately designated subsection. 55-52-301 It is unlawful for any person to smoke cigarettes in a motor vehicle while children age 13 or under are present inside the vehicle. 55-52-302 A violation of TCA 55-52-301 shall be penalized as follows:

- (a) For the first offense, a Class C misdemeanor.
- (b) For the second offense, a Class B misdemeanor.
- (c) For all subsequent offenses, a Class A misdemeanor. 55-52-303 All

violations of TCA 55-52-301 will be transmitted to the Tennessee Department of Child Services.

Section 2: All laws or parts of laws in conflict with this act or any provisions of it are hereby repealed.

Section 3: This Act shall take effect on July 1, 2012.

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### **Status**

#### **Committee**

**General Welfare I**

Pending on Calendar

#### **Senate**

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#### **House**

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### **Sponsors**

**Boldface = Prime Sponsor**

#### **Senate**

#### **House**

# TISL Bill 103

This bill requires students in Tennessee to perform community service hours in order to graduate high school. This bill not only helps the community,

## AN ACT TO REQUIRE STUDENTS IN TENNESSEE PUBLIC HIGH SCHOOLS TO COMPLETE COMMUNITY SERVICE OR SERVICE LEARNING AS A REQUIREMENT FOR GRADUATION

WHEREAS, community service participation is positively associated with students' personal and social development

WHEREAS, service learning is defined as a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civic responsibility, and strengthen communities.

WHEREAS, community service is an important part of college applications and will give Tennessee students a competitive edge applying to universities

WHEREAS, studies have shown that students who participated in service--□ learning programs scored higher on standardized tests for language arts and science

WHEREAS, struggling communities and individuals in Tennessee would greatly benefit from community service hours from students, especially during periods of economic downturn

### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: Amend TCA Title 49, Chapter 6 Part 12 by creating a new, appropriately designated subsection:

49--□6--□1209 Community Service or Service Learning

(a) All public high school students in Tennessee must complete 75 hours of community service or service learning in order to receive a diploma

(b) Each school district may design their own implementation model to meet local academic and community needs

(c) Each school district shall develop and implement a curriculum to allow students to complete this service learning requirement.

(d)Some students be exempt from requirement if they are a main source of income for their family. Exemptions will be made at the discretion of the administration of the student's high school.

(e) The provisions of this section will be applicable to all students entering 9th grade in August 2013 or later. Section 2: All laws or parts of laws in conflict with this act or any provisions of it are hereby repealed

Section 3: This Act shall take effect on July 1, 2012.

### **Status**

**Committee**  
**Education I**

Pending on Calendar

**Senate**

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**House**

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### **Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**House**

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# TISL Bill 104

This bill amends a previous amendment submitted to the legislature that proclaimed that homosexuality should not be taught in public schools or even m

AN ACT TO AMEND TO AMEND TENNESSEE CODE ANNOTATED, TITLE 49, CHAPTER 6, PART 10, RELATIVE TO EDUCATION.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: Tennessee Code Annotated, Section 49-6-1005, is amended by altering

the new subsection (c)

(c)

(1) The general assembly recognizes the sensitivity of particular subjects that are best explained and discussed in the home as children grow older.

For this reason, human sexuality whether heterosexuality or homosexuality should

be discussed when children with sufficient maturity grasp their complexity.

(2) Notwithstanding any other law to the contrary, no public elementary school shall provide material or instruction regarding sexuality.

(3) The discussion of sexuality shall begin in public schools beginning in middle school and shall not be limited to just heterosexuality.

Section 2: This shall take effect July 1, 2012.

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## Status

### Committee

#### Education I

Pending on Calendar

### Senate

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### House

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## Sponsors

**Boldface** = Prime Sponsor

### Senate

### House

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## TISL Bill 105

AN ACT TO REPEAL ARTICLE IX SECTION 2 OF THE TENNESSEE STATE CONSTITUTION.

WHEREAS, the First Amendment to the Constitution of the United States reads:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” and,

WHEREAS, the third clause of Article VI of the Constitution of the United States reads:

“The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.” and,

WHEREAS, Article IX Section 2 of the Tennessee State Constitution reads:

“No person who denies the being of God, or a future state of rewards and punishments, shall hold any office in the civil department of this state.” and,

WHEREAS, the above-quoted portions of the United States Constitution are demonstrably breached by Article IX Section 2 of the Tennessee State Constitution, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. The Tennessee State Intercollegiate State Legislature shall submit this bill to the Legislature of the State of Tennessee for debate as part of the 108th General Assembly, convening on January 20, 2011, to call for the repeal of Article IX Section 2 of the Tennessee State Constitution.

Section 2. For the function and purposes of The 42nd General Assembly of the Tennessee Intercollegiate State Legislature, the repeal of Article IX Section 2 of the Tennessee State Constitution shall be carried out under the model of the Tennessee State Legislature.

### Status

#### Committee

##### Executive Council

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Matthew Knight, Walters State CC**

Lance Snodderly, Walters State CC

#### House

**Enrique Cruz, Walters State CC**

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## TISL Bill 106

AN ACT TO AMEND TENNESSEE CODE ANNOTATED 39-17-1351 PURSUANT TO HANDGUN CARRY PERMITS.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: To amend Tennessee Code Annotated 39-17-1351 by striking the language, “who has reached twenty-one (21) years of age,” and substitute, “who has reached eighteen (18) years of age.”

Section 2: This act should take effect July 1, 2012.

### Status

#### Committee

##### General Welfare I

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Dan Buchanan, Univ of Memphis**

#### House

**Matthew Coker, Univ of Memphis**

# TISL Bill 107

This bill is an act to remove personal information from applications to public universities in an effort to stop discrimination on the basis of race o

## AN ACT TO REMOVE PERSONAL INFORMATION FROM APPLICATIONS TO TENNESSEE PUBLIC UNIVERSITIES.

WHEREAS, universities are increasingly offering admission and scholarship based on race or factors other than merit.

WHEREAS, personal information should not be needed in determining admittance to a university.

WHEREAS, withholding personal information will allow a student to feel that they were accepted solely due to their academics and achievements.

### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: Tennessee Code Annotated, Title 49, is amended by adding the following

language as a new, appropriately designated subsection:  
49-7-150

(a) When an application arrives to the admissions office of an institution of the University of

Tennessee System or the state university and community college system, it is stripped of personal information besides an identifying number. This will be done by an employee of the institution who is not involved with making admissions decisions.

(b) Employees of these institutions who make admissions decisions will only see test scores,

letters of recommendation and essays or other supplemental materials deemed necessary to evaluate that candidate's admission qualifications but shall not include personal information for each applicant.

(c) Essays and letters of recommendation may still contain personal information, and will not be edited in any way prior to being seen by those making admissions decisions.

(d) Personal information will be re-added to the student's admission file after an admission decision has been made.

Section 2: This Act shall take effect on July 1, 2012.

### **Status**

**Committee**  
**Higher Education**  
Pending on Calendar  
**Senate**

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**House**

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### **Sponsors**

**Boldface = Prime Sponsor**

**Senate**  
**House**

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## TISL Bill 108

AN ACT TO AMEND TCA TITLE 40, CHAPTER 39 TO INCLUDE THE "TENNESSEE ANIMAL ABUSER REGISTRY"

WHEREAS numerous studies have proven a correlation between violence against animals and later escalations to violence against people, and

WHEREAS this registry does not further intrude on the privacy of convicted individuals than does the sex offender registry, further

WHEREAS animals are living beings that deserve to be protected, therefore

WHEREAS people deserve to know where such offenders live to protect themselves and their pets

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. Anyone who pleads guilty, nolo contendere, or is found guilty by a jury or judge of aggravated cruelty to animals, felony animal fighting, or bestiality shall be required to register as an animal abuser.

Section 2. The Tennessee Bureau of Investigation (TBI) shall maintain this registry because they already maintain the Tennessee Sex Offender Registry and have the ability to host this registry as well.

Section 3. Any convicted animal abuser is required to register with the TBI within 48 hours of moving into or out of this state, acquiring a job, or beginning any form of higher education.

Section 4. The registry shall include the animal abuser's full name, date of birth, home address, photograph, and a copy of their judgment and conviction.

Section 5. Any of violation of this bill would be punishable as a Class E felony.

Section 6. This act shall take effect January 1, 2012.

### Status

#### Committee

**General Welfare II**

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Mason Shelton, Lipscomb Univ**

#### House

**Barbara Haffner, Lipscomb Univ**

Sierra Faith, Lipscomb Univ

Akim Smith, Lipscomb Univ

## TISL Bill 109

### AN ACT TO ALLOW CITIZENS TO VOTE WITHOUT PRESENTING PHOTO IDENTIFICATION

WHEREAS, nearly 260,000 citizens of Tennessee will be forced to obtain photo identification to participate in the 2012 elections, and

WHEREAS, the recent law amounts to a poll tax, and

WHEREAS, there exists scant evidence that voter fraud occurs or that it can be prevented at the polls,

#### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Tennessee Code Annotated 2-7-112 (a) (1) is amended by deleting the following language:

“In addition, the voter shall present to the precinct registrar one (1) form of identification that bears the name and photograph of the voter; provided, however, a

person voting in accordance with § 2-6-401(a) and (b) or § 2-6-601 shall not be required

to show an identification with a photograph of the voter.”

Section 2. TCA 2-7-112 (a)(3)(A) is amended by deleting the following language:

“If a voter is unable to present evidence of identification, the voter shall be entitled to vote a provisional ballot pursuant to subsection (e) unless the voter is eligible to vote pursuant to subsection (f).”

Section 3. TCA 2-7-112 is amended by deleting subsections (c), (e) and (f) in their entirety

Section 4. TCA 2-7-112(d) is amended by designating it as subsection (c) and deleting the following language: “Such verification may be on the same or different document from those listed in subsection (c).”

Section 5. This act shall take effect upon passage, the public welfare requiring it.

#### **Status**

#### **Committee**

**State & Local Government I**

Pending on Calendar

#### **Senate**

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#### **House**

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#### **Sponsors**

**Boldface = Prime Sponsor**

#### **Senate**

**Samer Abraham, Vanderbilt Univ**

#### **House**

# TISL Bill 110

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 50, CHAPTER 1, PART 9, RELATIVE TO A DESIGNATED BARGAINING REPRESENTATIVE.

WHEREAS, employees have the right to designate a bargaining representative.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

**Intercollegiate State Legislature:**

Section 1. Tennessee Code Annotated, Section 50-1-901, is amended by deleting subsection (a) in its entirety and substituting instead the following:

All employees and employers in this state, when seeking to designate an exclusive bargaining representative permitted by state or federal law, have the right to make such designation by secret ballot or majority sign-up. No alternative means of designation shall be used in this state as convincing evidence of employee majority support.

Section 2. Tennessee Code Annotated, 50-1-901(c)(1), is amended by deleting the language "July 1, 2011" and by substituting instead the language "January 1, 2012".

Section 3. Tennessee Code Annotated, 50-1-901(c)(2), is amended by deleting the language "July 1, 2011" and by substituting instead the language "January 1, 2012".

Section 4. This act shall take effect January 1, 2012.

**Status**

**Committee**

Commerce

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface** = Prime Sponsor

**Senate**

**House**

Alexander Ford, Middle Tenn State Univ

# TISL Bill 111

AN ACT TO AMEND TENNESSEE CODE ANNOTATED TITLE 50, CHAPTER 2, PART 1, TO PROVIDE PROTECTION FOR WORKERS FILING A WAGE CLAIM WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

WHEREAS, there is no Tennessee law which prevents an employer from firing an employee because they file a wage claim with the Tennessee Department of Labor and Workforce Development.

WHEREAS, an employee has rightfully earned their wages and must be paid properly.

WHEREAS, an employee should be protected under the law from retaliation when filing such a complaint with the state.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

**Intercollegiate State Legislature:**

Section 1. Tennessee Code Annotated, Title 50, Chapter 2, Part 1, is amended by adding the following language as a new, appropriately designated section.

50-2-

Any employer who violates this part, or who discharges or in any other manner retaliates against any employee because the employee has made a wage claim to that employee's employer, the commissioner, or any other person, or instituted or caused to be instituted any proceedings under or related to this part, or has testified or is about to testify in any such proceeding, commits a Class A misdemeanor.

Section 2. This act shall take effect January 1, 2012.

**Status**

**Committee**

Commerce

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface** = Prime Sponsor

**Senate**

**House**

Alexander Ford, Middle Tenn State Univ

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## TISL Bill 112

AN ACT TO AMEND TENNESSEE CODE ANNOTATED TITLE 50, CHAPTER 2, PART 1, TO PROVIDE EMPLOYEES ADDITIONAL COMPENSATION FOR THEIR LABOR.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. Tennessee Code Annotated, Section 50-2-103(a)(3) is amended by deleting the second sentence in its entirety.

Section 2. Tennessee Code Annotated, Section 50-2-103 is amended by adding the following as a new subsection thereto:

() (1) All employees shall earn at least the following compensation for their labor:

- (a) One week paid vacation per year.
- (b) Two weeks unpaid vacation per year.
- (c) Overtime pay on Federal Holidays.
- (d) Severance Pay for laid off employees.
- (e) One week of Sick Leave per year.

(2) Employers are exempt from subdivision ()(1) if this section would affect employee representation agreements:

- (a) Entered into prior to January 1, 2012

Section 3. This act shall take effect January 1, 2012.

**Status**

**Committee**

Commerce

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface** = Prime Sponsor

**Senate**

**House**

Alexander Ford, Middle Tenn State Univ

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## TISL Bill 113

A RESOLUTION TO SUPPORT THE CREATION OF A STATE INCOME TAX AND DISSOLVE THE STATE SALES TAX.

WHEREAS, the Sales Tax is a Regressive Tax.

WHEREAS, Regressive Taxes are unfair to middle and lower income earners.

WHEREAS, these earners are paying a higher percentage of their income over higher income earners on basic goods and services necessary to survive.

**BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

That the state shall replace its Sales Tax with a Progressive graduated Income Tax.

**Status**

**Committee**

State & Local Government II

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface** = Prime Sponsor

**Senate**

**House**

Alexander Ford, Middle Tenn State Univ

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## TISL Bill 114

AN ACT TO REQUIRE THE TENNESSEE STATE SONG TO BE PLAYED OR SUNG EACH MORNING OF THE TENNESSEE INTERCOLLEGIATE STATE LEGISLATURE GENERAL ASSEMBLY.

WHEREAS, we need to show respect to our state institution, and

WHEREAS, the respect of our states sanctities is invested in honoring the founding fathers of this great state of Tennessee,

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Following the first roll call of each morning session in both the House and the Senate chambers during the annual General Assembly of the Tennessee Intercollegiate State Legislature (TISL) the State Song shall be played or sung.

SECTION 2. In celebration of the passage of this bill the State Song should be played immediately thereafter.

### Status

#### Committee

**Executive Council**

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

#### House

**Vanderbilt Brabson, Univ of Tenn at Knoxville**

Jason Monteleone, Univ of Tenn at Knoxville

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## TISL Bill 115

AN ACT TO ELIMINATE THE INHERITANCE TAX.

Whereas Tennesseans are enduring economic stress, and

Whereas the inheritance tax discourages wealth production,

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

**Intercollegiate State Legislature:**

Section 1: Tennessee Code Annotated, Section 67- 8 parts 3, 4, and 5 regarding the establishment of a state inheritance tax is repealed.

Section 2: This act shall take effect 1 January 2012.

### Status

#### Committee

**State & Local Government II**

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Anna Haffner, Bryan College**

Leanne Fairchild, Bryan College

#### House

**David Corwin, Bryan College**

Daniel Grayton, Bryan College

Barbara Haffner, Lipscomb Univ

## TISL Bill 116

AN ACT TO ALLOW VICTIMS OF HUMAN TRAFFICKING TO HAVE CONVICTIONS OF PROSTITUTION VACATED AND TO ALLOW VICTIMS CURRENTLY FACING PROSTITUTION CHARGES TO OFFER AN AFFIRMATIVE DEFENSE.

Whereas: some individuals are convicted for prostitution while a victim of sex trafficking and

Whereas: these convictions create difficulties for these individuals to reenter society and

Whereas: these convictions punish the victims of human trafficking rather than the criminal parties

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: At any time after the entry of a judgment of guilt for prostitution or aggravated prostitution, the court in which it was entered may, upon motion of the defendant, whether a U.S. Citizen or foreign national, vacate such judgment upon the ground that:

Section 2: The judgment is a conviction where the arresting charge was under section 39-13-513

(prostitution) or 39-13-516 ( aggravated prostitution) of the penal law, and the defendant's participation in the offense was a result of having been a victim of sex trafficking.

Section 3: If a person who is a victim of sex trafficking is prosecuted under section 39-15-513 (prostitution) or under section 39-15-516 (aggravated prostitution), the person may raise as an affirmative defense that he or she committed the offense as a result of force, fraud, or coercion by a sex trafficker. In a prosecution for a violation of this section, the victim's alleged

consent to the human trafficking is immaterial and shall not be admitted.

Section 4: Victim of sex trafficking shall be defined as an individual subjected to sexual servitude regardless of age and/or a victim based on the definition of trafficking in persons under the Trafficking Victims Protection Act (United States Code, title 22, chapter 78);

Section 5: For the purpose of this bill sexual servitude shall be defined as:

(A) Any sexually explicit conduct for which anything of value is directly or indirectly given, promised to or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under eighteen (18) years of age; or

(B) Any sexually explicit conduct that is performed or provided by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under eighteen (18) years of age; and

Section 6: For the purpose of this bill sex trafficker shall be defined as someone who is guilty of sex trafficking as defined in 39-13-309.

Section 7: For the purpose of this bill coercion applies to the use of any of the following means: (a) causing or threatening to cause serious harm to any person, (b) physically restraining or threatening to physically restrain another person, (c) abusing or threatening to abuse the law or legal process, (d) knowingly destroying, concealing, removing, confiscating or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person, (e) blackmail, (f) causing or threatening to cause financial harm to any person, or, (g) facilitating or controlling a victim's access to an addictive controlled substance

Section 8: a motion under this paragraph shall be made with due diligence, after

### Status

#### Committee

#### Judiciary

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

**Anna Haffner, Bryan College**

Leanne Fairchild, Bryan College

#### House

**David Corwin, Bryan College**

Daniel Grayton, Bryan College

Barbara Haffner, Lipscomb Univ

TISL Bill 116

the defendant

has ceased to be a victim of such trafficking or has sought services for victims of

such trafficking, subject to reasonable concerns for the safety of the defendant, family members of the defendant, or other victims of such trafficking that may be

jeopardized by the bringing of such motion, or for other reasons consistent with the

purpose of this paragraph; and

Section 9: official documentation of the defendant's status as a victim of sex trafficking or

trafficking in persons at the time of the offense from a federal, state or local government agency shall create a presumption that the defendant's participation in the offense was a result of having been a victim of sex trafficking or trafficking in persons, but shall not be required for granting a motion under this paragraph.

Section 10: This act shall take effect 1 January 2012.

TISL Bill 117

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, 37-1-134 (6) (H)

WHEREAS, the human mind is biologically not fully developed until approximately 25 years of age,

WHEREAS, a person cannot and must not be punished with no chance for redemption or rehabilitation throughout the course of their adult years for an offense having taken place prior to full biological development,

WHEREAS, it is a stain on the judicial system of the great state of Tennessee to potentially incarcerate a person for life even though that person's mental capacity for right and wrong and for the consequences of their actions are biologically hindered,

BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:

Section 1. Tennessee Code Annotated, Section 37-1-134 (6) (h), is amended by deleting the following: At the defendant's eighteenth birthday, the defendant may be transferred to an adult institution if there is time remaining on the defendant's term. If the term expires prior to the eighteenth birthday, the defendant shall be released. Any child sentenced by a committing court pursuant to this section shall, for the purpose of parole, be treated as if such child were an adult.

Section 2. In the stead of the deleted sentence, the following sentences are added: At the defendant's eighteenth birthday, the defendant must be granted an opportunity for parole. Parole shall be dependant upon the satisfactory completion of a series of pertinent psychiatric examinations and a written and signed recommendation for release from the defendant's primary examiner. The official conduct report of the defendant during the defendant's incarceration shall also be taken into consideration during the process of determining the defendant's eligibility for parole. If the defendant is denied parole, and if there is time remaining on the defendant's term, the defendant may be transferred to an adult institution. If the defendant is granted parole, and if there is time remaining on the defendant's original term, one half of the total remaining time shall be reallocated to a new probationary term to be served by the defendant.

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Status

Committee

Judiciary

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

House

## TISL Bill 118

AN ACT TO ESTABLISH MANDATORY SEXUAL AWARENESS COURSES OF STUDY FOR MIDDLE SCHOOL AGED CHILDREN.

Whereas: Many young adults participate in sexual activities but are not aware of the consequences related to sex.

Whereas: It has statistically been shown that a substantial number of youth under the age of 20 are infected with a sexually transmitted disease or infection.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1- A course of study lasting the duration of a year related to sexual awareness at the middle school level will be implemented in the state of Tennessee.

Section 2- Students are required to take the course regardless of parental consent.

Section 3- Upon its passage, the bill shall be implemented in the Fall of 2013.

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### Status

#### Committee

#### Education II

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

#### House

# TISL Bill 119

## AN ACT TO REQUIRE ENROLLMENT IN VOCATIONAL TRAINING PROGRAM TO RECEIVE UNEMPLOYMENT COMPENSATION.

WHEREAS, individuals in the State of Tennessee that have registered as unemployed  
are eligible to receive benefits as long as they actively seek new employment,  
and

WHEREAS, Tennesseans extracting unemployment should be willing to participate in these trade schools, and

WHEREAS, trade schools will be hosted by various job creators wherein they can recruit potential employees, and

WHEREAS, benefits will be terminated for those individuals who fail to report to these trade schools, therefore

### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Short title. This part may be cited as the "Vocational Training for the Unemployed" under Tennessee Code Title 50 Employer and Employee as Chapter 7.

SECTION 2. Purpose. This part sets forth certain requirements for individuals in order to receive unemployment compensation, providing better marketability for Tennessee's unemployed citizens.

SECTION 3. Definitions. In this part, the following definitions apply:

(1) The "Department" refers to the Tennessee Department of Labor and Workforce Development.

(2) "Vocational training" refers to certain trade schools put on by individuals and entities to increase marketability and earning power of an unemployment beneficiary

(3) "Official" refers to an unemployment claims office employee or another proper representative of the Tennessee Department of Labor and Workforce Development

SECTION 4. Benefit eligibility conditions:

An unemployed individual shall be eligible to receive benefits with respect to any week  
only if:

(a) The individual has filed a claim at an unemployment insurance claims office and thereafter continues to report at an employment service office or unemployment insurance claims office, as directed by the department in accordance with such regulations as the department may prescribe, except that the department may, by regulation, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs, and as to such other types of cases or situations with respect to which the department finds that compliance with such requirements would be oppressive, or would be inconsistent with the purpose of this act

(b) (1)The individual is able to work, and is available for work, and has demonstrated to be actively seeking work

(2) The director may modify the requirement of actively seeking work if such modification of this requirement is warranted by economic conditions

(3) No individual, who is otherwise eligible, shall be deemed ineligible, or unavailable for work, because the individual is on vacation, without pay, during said week, if said vacation is not the result of the individual's own action as distinguished from any collective action of a collective bargaining agent or other action beyond the individual's control

### **Status**

#### **Committee**

**Commerce**

Pending on Calendar

#### **Senate**

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#### **House**

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### **Sponsors**

**Boldface = Prime Sponsor**

#### **Senate**

**Garrett Montague, Univ of Tenn at Knoxville**

#### **House**

**William Trenda, Univ of Tenn at Knoxville**

(4) (A) Subject to such limitations and conditions as the department may prescribe, an individual, who is otherwise eligible, shall not be deemed unavailable for work or ineligible because the individual is attending a monthly training program approved for the individual and required by the department to enhance the individual's employment opportunities or because the individual failed or refused to accept work while attending such program

(B) For the purpose of this paragraph (4), the required training programs shall be regarded as approved by the department for the individual if the program and the individual meet the following requirements:

(i) The training is for a labor demand occupation and is likely to enhance the individual's marketable skills and earning power;

(ii) The training is provided by a competent and reliable private or public entity approved by the department

(iii) The individual can reasonably be expected to complete the program, either during or after the period of benefits

(iv) The training does not include on the job training or other training under which the individual is paid by an employer for work performed by the individual during the time that the individual receives benefits; and

(v) The training includes remedial basic skills education necessary for the individual to successfully complete the vocational component of the training

(vi) The training is provided in connection with a program under which the individual may obtain a college degree, including a post-graduate degree

(C) If the requirements of subparagraph (B) are met, the department shall not withhold approval of the training program

(D) The individual enrolls in vocational training, remedial education or a combination of both on a full-time basis

(E) The individual understands employment will not be guaranteed, but cannot be denied employment due to the individual's lack of experience in the certain trade

(5) No individual, who is otherwise eligible, shall be deemed ineligible or unavailable for work with respect to any week because, during that week, the individual fails or refuses to accept work while the individual is participating on a full-time basis in self-employment assistance activities authorized by the division, whether or not the individual is receiving a self-employment allowance during that week

(6) Any individual who is determined to be likely to exhaust regular benefits and need reemployment services based on information obtained by the worker profiling system shall not be eligible to receive benefits if the individual fails to participate in available reemployment services to which the individual is referred by the department or in similar services, unless the department determines that:

(A) The individual has completed the reemployment services; or

(B) There is justifiable cause for the failure to participate, which shall include participation in employment and training, self-employment assistance activities or other activities authorized by the department to assist reemployment or enhance the marketable skills and earning power of the individual and which shall include any other circumstance indicated pursuant to this section in which an individual is not required to be available for and actively seeking work to receive benefits.

(c) With respect to individuals currently receiving unemployment benefits, the department will allow a year for individuals and entities to design training schools and plan accordingly with the department for scheduling purposes

(d) After the department has set up these monthly training "schools," unemployment beneficiaries will be required to attend a mandatory meeting with an official to plan and sign up for vocational training classes

SECTION 5. Exemptions.

TISL Bill 119

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This part applies to individuals that:

(1) are under the care of a legally licensed physician, dentist, optometrist, podiatrist, practicing psychologist or chiropractor that renders them unable from participating in the vocational classes provided by the department

SECTION 6. Date of Effect. This act shall take effect January 1, 2013, the public welfare requiring it.

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**TISL Bill 120**

AN ACT TO PROHIBIT SMOKING IN VEHICLES WHEN A CHILD UNDER THE AGE OF 18 IS PRESENT IN THE VEHICLE IN THE STATE OF TENNESSEE.

WHEREAS, secondhand smoke has just as many harmful side effects as smoking a cigarette, and

WHEREAS, when children are exposed to the harmful effects of nicotine and carcinogens, especially at a young age, can significantly damage a child’s mental and physical development, and

WHEREAS, it is the duty of the State of Tennessee to protect its citizens no matter how young from the harmful and damaging effects of second hand smoke, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Any driver found guilty of this shall be subject to the following:

(a) For the first offense, the driver will be charged with a Class C misdemeanor (no greater than 30 days in jail or a fine not to exceed fifty dollars or both, unless otherwise provided by the statute.

(b) For the second offense the driver will be charged with a \$100.00 dollar fine and must attend court mandated child care classes.

(c) For the third offense, the driver will be charged with a Class B misdemeanor (no greater than six months in jail or a fine not to exceed \$500.00 dollars).

SECTION 2. A vehicle shall be defined as any two door and four door cars, trucks, sedan, SUV, motorcycles, and convertibles even with the windows down.

SECTION 3. This act shall take effect January 1, 2012, the public welfare requiring it.

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**Status**

**Committee**

Transportation

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

Boldface = Prime Sponsor

**Senate**

Garrett Montague, Univ of Tenn at Knoxville

**House**

Kristen Taylor, Univ of Tenn at Knoxville

## TISL Bill 121

### AN ACT TO PREVENT POST-JURY COMPENSATION.

WHEREAS, many more court cases are garnering national infamy and captivating media attention, and

WHEREAS, some jurors of these cases use the media attention to make financial gains from their stories, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Any person who has served on any jury, civil or criminal, that makes a financial gain from their information of the trial or the details of their experience, shall be guilty of the crime, "Jury Tampering."

SECTION 2. Any person that offers money to jurors for their information of the trial or the details of their experience shall be guilty of the crime, "Obstruction of Justice."

SECTION 3. Upon conviction in a competent court of law, the judge shall sentence the person guilty of the crime "Jury Tampering" to a Class A Misdemeanor.

SECTION 4. Upon conviction in a competent court of law, the judge shall sentence the person guilty of the crime "Obstruction of Justice" to a Class A Misdemeanor.

SECTION 5. This act shall take effect January 1, 2012, the public welfare requiring it.

### Status

#### Committee

#### Judiciary

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

#### House

**Brandon Chrisman, Univ of Tenn at Knoxville**

## TISL Bill 122

### AN ACT TO INSTATE WEEKLY MUNICIPAL CURBSIDE RECYCLING IN ALL CITY LIMITS WITHIN THE STATE OF TENNESSEE.

WHEREAS, non renewable resources are being wasted, and recycling protects and expands Tennessee manufacturing jobs and increases competitiveness, and

WHEREAS, recycling reduces the need for landfills or incineration, while recycling prevents pollution caused by the manufacturing of products from virgin materials, and

WHEREAS, recycling conserves natural resources such as timber, water, and minerals, and helps sustain the environment for future generations, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Weekly recycling pickup will be required within all city limits of the state of Tennessee.

SECTION 2. Each city shall implement a recycling program within its city limits.

SECTION 3. Each city waste management department shall make arrangements for the weekly pickup of designated recycling products.

SECTION 4. The residents of each city shall receive a recycling receptacle for disposal of designated recycling products

SECTION 5. Recycling products include:

- (a) Glass
- (b) Paper
- (c) Plastic
- (d) Aluminum

SECTION 6. This act shall take effect December 1, 2013.

### Status

#### Committee

#### State & Local Government I

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

#### House

**Megan Marren, Univ of Tenn at Knoxville**

# TISL Bill 123

## AN ACT TO INCREASE THE REQUIREMENTS TO RECEIVE A DRIVER'S LICENSE

WHEREAS, last year, there were 150,483 accidents involving licensed drivers in the state of Tennessee, killing 958 people and injuring 43,233, and

WHEREAS, 71,110 drivers ages 15-24 were involved in traffic accidents, and

WHEREAS, these accidents cost the state of Tennessee 1.15 billion dollars, the 10th highest in the nation, therefore

### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. All individuals applying for a driver's license exam will take a written exam similar to the one given when applying for a driver's permit. This exam will cover the rules of the road, signs drivers are expected to know, and other such basic yet necessary knowledge. Applicants will be expected to receive and 80 or above on the test to pass.

SECTION 2. During the driving portion of the exam, students will be required to test a variety of skills. These will include, but are not limited to, changing lanes, turning both directions, parking, backing up, a highway test, and a residential or school zone test. They will also be quizzed on basic components within the car such as the gear shift, mirrors, and dashboard components.

(a) The student will be required to come to several intersections during the test, preferably of varying types and difficulty levels.

(b) If a highway or interstate is not within a reasonable distance to the testing center, a road of similar size, speed, or difficulty may be used, although prior permission must be received from the Department of Motor Vehicles (DMV).

SECTION 3. A standard rubric will be created with point values given for each task. There will be a minimum point value assigned by the DMV that all students will have to achieve in order to pass the exam. The passing grade must be above 80%; however, the DMV may set it higher if they so choose.

SECTION 4. Should an individual's license be taken away due to driving infractions, he/she will be required to go through the license application process in order to get a license again.

SECTION 4. All individuals who received their permit before this act goes into effect will not be required to take the new test. They must only meet the requirements told to them upon receiving their permit.

SECTION 5. This act shall take effect February 1, 2012, the public welfare requiring it.

### **Status**

#### **Committee**

#### **Transportation**

Pending on Calendar

#### **Senate**

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#### **House**

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### **Sponsors**

**Boldface** = Prime Sponsor

#### **Senate**

**Garrett Montague, Univ of Tenn at Knoxville**

#### **House**

**Christie Thiessen, Univ of Tenn at Knoxville**

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# TISL Bill 124

AN ACT TO ENACT A STATEWIDE FREE PUBLIC WIFI ACCESS NETWORK.

WHEREAS, residents of Tennessee are subject to the availability of access to a providers network at Monopolistic prices that have continued to increase over time, and

WHEREAS, both the residents of Tennessee, visitors, and the State will receive mutual benefit by the increase of jobs and revenues that will be provided by the opportunities associated with the implementation of this service, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. The state shall strive to provide every Tennessean and visitor with free public WIFI access within the states boundaries.

(a). "Public": shall be defined as all encompassing geographic areas of the state of Tennessee,

SECTION 2. The State shall not pass on any direct expense to citizens or charge any citizen at any time for access to the network.

SECTION 3. The State shall not ban any citizen or visitor from using the network for any reason.

SECTION 4. The State shall form a committee immediately upon passage of this bill to conduct a thorough investigation into perspective technologies and evaluate each option to provide a detailed analysis.

(a). The committee will have exactly 365 days from inception to provide the detailed analysis into the available technologies.

SECTION 5. Upon the evaluation by the committee the state must start implementing the proposed system within six months and must be at least 75% completed by January 1, 2016, the public welfare requiring it.

## Status

### Committee

**General Welfare I**

Pending on Calendar

### Senate

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### House

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## Sponsors

**Boldface = Prime Sponsor**

### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

### House

**Jason Monteleone, Univ of Tenn at Knoxville**

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# TISL Bill 125

## AN ACT TO CREATE A SAVE TO WIN LOTTERY

WHEREAS, Save to Win offers incentives for people to better save their money and become more financially stable, and

WHEREAS, in the state of Michigan and six others have already implemented the Save to Win Lottery, in order to help low to moderate income families achieve greater savings rates, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. The State shall in act a lottery in which an individual opens a year-long certificate of deposit (CD) in a participating Credit Unions. The certificate can be started with a simple \$25 deposit. Then, for each \$25 a member deposits in the account, the CD holder earns one entry into the monthly prize drawing and one entry into the end of the year grand prize drawing.

SECTION 2. Each CD holder can earn up to ten entries each month.

SECTION 3. Each CD holder may make one \$25.00 dollar withdrawal per year.

SECTION 4. In order for a CD holder to win either a monthly prize or the grand prize, the Save to Win account must be open when the drawing occurs.

SECTION 5. Each winning entry is chosen through a raffle.

SECTION 6. Any interest that is accrued from the CD is allocated to the State of Tennessee's Save to Win Lottery Fund in order to pay out winnings and prizes.

SECTION 7: The amount of winnings each month will be equal to 50% of the interest collected on viable entries for the month. The remaining 50% will be kept in the State of Tennessee's Save to Win lotteries account to pay out for the grand prize at the end of the year.

SECTION 8: All winners must meet to State of Tennessee's current prize statutes in order to receive the winnings from the lottery.

SECTION 9. This act shall take effect June 1, 2012, the public welfare requiring it.

### Status

#### Committee

Commerce

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

#### House

**Clay Williams, Univ of Tenn at Knoxville**

# TISL Bill 126

AN ACT TO AMEND TISL CODE ANNOTATED TITLE 4, CHAPTER 2, RELATIVE TO NOMINEES FOR SUPREME COURT JUSTICES.

WHEREAS, the current legal code only allows certain students with specific majors to apply for TISL Supreme Court Justice positions, and

WHEREAS, the current Tennessee Supreme Court Justices undergraduate majors did not consist of political science, government, pre-law, philosophy, history or similar discipline, and

WHEREAS, opening the pool of candidates with all majors will allow a more competitive selection process,

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Tennessee Intercollegiate State Legislature Code Annotated, Title 4, Chapter 2, Part 7, is amended by deleting the existing language and inserting in lieu thereof the following:

4-2-7. On or before May 1, the commission shall select fourteen nominees, as follows:

(a) Incumbent judges, previously recommended by the Commission and qualified under the TISL Constitution, who notify the commission that they desire reappointment; plus

(b) Non-incumbent nominees selected by the commission in a sufficient number to make a total of fourteen nominees.

SECTION 2. Tennessee Intercollegiate State Legislature Code Annotated, Title 4, Chapter 2, Part 9, is amended by deleting the existing language and inserting in lieu thereof the following:

4-2-9. Each nominee shall be a student in good standing at a Tennessee college or university.

(a) Each Tennessee college or university shall submit a candidate to apply for the Tennessee Intercollegiate Supreme Court starting with the 42nd Tennessee Intercollegiate State Legislature General Assembly.

SECTION 3. This act shall take effect November 20, 2011, the public welfare requiring it.

## Status

### Committee

#### Executive Council

Pending on Calendar

### Senate

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### House

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## Sponsors

**Boldface** = Prime Sponsor

### Senate

**Dan Buchanan, Univ of Memphis**

Shalin Shah, Univ of Tenn at Chattanooga

### House

**Vanderbilt Brabson, Univ of Tenn at**

**Knoxville**

Karl Magnuson, Union Univ

Jason Monteleone, Univ of Tenn at

Knoxville

# TISL Bill 127

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 49, CHAPTER 6, PART 9, SECTION 3, RELATIVE TO PARENTAL INVOLVEMENT IN PUBLIC SCHOOLS.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 9, Section 3, is amended by deleting the existing language and inserting in lieu thereof the following:

(a) Although the school environment has a great impact on a child's well-being and academic success, parents and the home environment form the foundation of a child's present and future life. Without proper parental involvement in all aspects of a child's life, the child's prospects to be a well-equipped and useful member of society are greatly diminished. The purpose of this section is to provide information and tools to parents of prekindergarten and through grade twelve (Pre-K-12) students to enable them to have a positive impact on their child's educational success and to set standards for parental accountability.

(b) The following behaviors with respect to the relationship between a child's home and school are identified as possible causes for a student's underachievement: (1) A child is not physically prepared for the school day due to inadequate rest or improper clothing, lack of necessary school supplies, or frequent tardiness or absence; (2) A child is not mentally prepared for the school day due to uncompleted homework or inadequate preparation for tests; and (3) Communication between parents and the teacher is often written rather than through personal contact and often occurs only when a problem has arisen rather than on a consistent basis throughout the school year.

(c) Principles that are the foundation of the approach of this section to parental involvement include: (1) Parental involvement is most effective when it is comprehensive, well planned, and continues throughout the school year; (2) Parental involvement should be developmental with a preventive rather than remedial approach and an integral part of a strategy to improve student achievement; (3) Parents do not need to be formally educated to provide support and assistance to improve the academic performance of their child; and (4) At-risk children have the most to gain from parental involvement.

(d) Strategies that parents may employ to support the learning of their children and improve student achievement include, but are not limited to: (1) Attend parent-teacher conferences during which the student's strengths and weaknesses are discussed and goals for the student are collaboratively set; (2) Maintain correspondence with the child's teachers through submission of signed forms and signed homework assignment sheets and respond to formal requests for conference; (3) Establish a home environment that supports the child as a student; (4) Contact the teacher if a problem or issue arises with homework, a situation in the home that may disturb the student's performance, or absences and makeup assignments; (5) Facilitate the student's performance in school by monitoring homework completion and test preparation and helping with curriculum-related activities; and (6) Provide for the student's on-time attendance, prevent frequent absences, and provide needed school supplies.

(e) Teachers and schools shall develop or utilize current information packets, forms, or videos for sharing information with each parent with written acknowledgement of receipt. The shared information that may be presented in the parent guide to successful student achievement or in the checklist of parental actions that can strengthen parental involvement in a child's educational progress

## Status

### Committee Education II

Pending on Calendar

### Senate

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### House

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## Sponsors

**Boldface** = Prime Sponsor

### Senate

**Garrett Montague, Univ of Tenn at  
Knoxville**

### House

**Melissa Mullins, Univ of Tenn at  
Knoxville**

## TISL Bill 127

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includes: (1) Expectations of parents with respect to school attendance requirements; (2) Expectations of parents with respect to a child's physical readiness for school, including provision for adequate night-time sleep; necessary school supplies, which may be obtained through various organizations if needed; meals, which may be obtained through a school's free or reduced-priced meal program if qualified; and immunizations and medical care; and (3) Expectations of parents with respect to a child's academic work, including time set aside for daily homework and reading, nightly check of homework completion and preparation for tests, early preparation of assigned school projects, signature on required forms, and check of contents of school backpack.

(f) To help parents establish a home environment that supports the child as a student, each teacher shall monitor and assess the quality of the involvement of the parents of each student in the teacher's class. Each prekindergarten through grade three (Pre-K-3) student report card shall include a section in which the teacher grades the parental involvement as satisfactory, needs improvement, or unsatisfactory on each of the following criteria: (1) Parental response to requests for conferences or communication; (2) The student's completion of homework and preparation for tests; (3) The student's physical preparation for school that has an effect on mental preparation; and (4) The frequency of the student's absence and tardiness.

(g) A parent may appeal the report card parental involvement grade assigned by the teacher under subsection (f) through a process adopted by the state board of education by rules promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, in which the principal, the teacher, and the parent meet to discuss how the report card grade was determined. The meeting shall also provide information and feedback on the steps needed to improve the parental involvement grade, thereby improving the environment and elements that affect student learning.

(h) This section shall be implemented in each local education agency for all applicable schools beginning with the 2012-2013 school year.

SECTION 2. This act shall take effect January 1, 2012, the public welfare requiring it.

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# TISL Bill 128

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 38, CHAPTER 3, PART 1, RELATIVE TO THE AUTHORITY OF CERTAIN FEDERAL EMPLOYEES IN THIS STATE.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Tennessee Code Annotated, Section 38-3-113, is amended by deleting the section in its entirety and substituting instead the following:

(a) A federal employee who is not designated by state law as a Tennessee peace officer may not make an arrest, search, or seizure in this state without the written permission of the sheriff or designee of the sheriff of the county in which the arrest, search, or seizure will occur unless:

- (1) The arrest, search, or seizure will take place on a federal enclave for which jurisdiction has been expressly ceded to the United States by a Tennessee statute;
- (2) The federal employee witnesses the commission of a crime the nature of which requires an immediate arrest;
- (3) The arrest, search, or seizure is under title 40;
- (4) The intended subject of the arrest, search, or seizure is an employee of the sheriff's office or is an elected county or state officer; or
- (5) The federal employee has probable cause to believe that the subject of the arrest, search, or seizure has close connections with the sheriff, which connections are likely to result in the subject being informed of the impending arrest, search, or seizure.

(b) The county sheriff or designee of the sheriff may refuse permission to make an arrest or conduct a search or seizure for any reason that the sheriff or designee considers sufficient.

(c) A federal employee who desires to make an arrest or conduct a search or seizure under subdivision (a)(4) shall obtain the written permission of the attorney general and reporter for the arrest, search, or seizure unless the resulting delay in obtaining permission would probably cause serious harm to one or more individuals or to a community or would probably allow time for flight of the subject of the arrest, search, or seizure in order to avoid prosecution. The attorney general and reporter may refuse the permission for any reason that the attorney general considers sufficient.

(d) A federal employee who desires to make an arrest or conduct a search or seizure under subdivision (a)(5) shall obtain the written permission of the attorney general and reporter. The request for permission must include a written statement, under oath, describing the federal employee's probable cause. The attorney general may refuse the request for any reason that the attorney general considers sufficient.

(e) (1) A permission request to the county sheriff or attorney general and reporter must contain: (A) The name of the subject of the arrest, search, or seizure; (B) A clear statement of probable cause for the arrest, search, or seizure or a federal arrest, search, or seizure warrant that contains a clear statement of probable cause; (C) A description of the specific things to be searched for or seized; (D) A statement of the date and time that the arrest, search, or seizure is to occur; and (E) The address or location where the intended arrest, search, or seizure will be attempted.

(2) The request may be in letter form, either typed or handwritten, but must be countersigned with the original signature of the county sheriff or designee of the sheriff or by the attorney general and reporter to constitute valid permission. The permission is valid forty-eight (48) hours after it is signed. The sheriff or attorney

**Status**

**Committee**  
**State & Local Government II**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Garrett Montague, Univ of Tenn at Knoxville**

**House**

**Jacob Hayes, Univ of Tenn at Knoxville**

**TISL Bill 128**

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general and reporter shall keep a copy of the permission request on file.

(f) An arrest, search, or seizure or attempted arrest, search, or seizure in violation of subsection (a) is unlawful, and the persons involved shall be prosecuted by the county attorney for kidnapping if an arrest or attempted arrest occurred, for trespass if a search or attempted search occurred, for theft if a seizure or attempted seizure occurred, and for any applicable homicide offense if loss of life occurred. The persons involved shall also be charged with any other applicable criminal offense.

(g) The county attorney shall prosecute once a claim of violation of subsection (a) has been made by the county sheriff or designee of the sheriff, and failure to prosecute subjects the county attorney to recall by the voters and to prosecution by the attorney general for official misconduct.

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 3, Part 1, is amended by adding the following as a new section: 38-3-124. Pursuant to the tenth amendment to the United States constitution and this state's compacts with other states, the general assembly declares that any federal law purporting to give federal employees the authority of a county sheriff in this state is not recognized by and is specifically rejected by this state and is declared to be invalid in this state.

SECTION 3. If any provision 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 the 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 4. This act shall take effect upon becoming a law January 1, 2012, the public welfare requiring it.

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## TISL Bill 129

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 36, CHAPTER 4, PART 104 AND TITLE 36, CHAPTER 4, PART 105, RELATIVE TO DIVORCE LAWS REQUIREMENTS.

WHEREAS, the current TCA code suggest that the plaintiff must be a resident of this state, or if the grounds for divorce occurred outside of the state, either the party must have resided in the state for 6 months preceding the filing of the complaint, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. The state shall not have any requirements for who brings a divorce claim into question.

SECTION 2. Tennessee Code Annotated, Title 36, Chapter 4, Part 104 and Title 36, Chapter 4, Part 105, is amended by deleting the existing language and inserting in lieu thereof the following:

(a) Tennessee Divorce Laws are unconstitutional because:

(1) These stipulations that are set in the current divorce laws do not help in making this process effective for all couples that seem to have marriage conflicts

(2) Traveling couples are at risk because of the 6 month rule when filing for a divorce in a different state than they are originally from

(3) Because the plaintiff bringing the case has to be from the state, this causes another barrier because this may lead to some marriages being prolonged and/or never solved. The reason in the divorce might not be in favor of the plaintiff

(4) Free will is violated because divorce should require nothing because of the seriousness of the situation

SECTION 3. This act shall take effect January 1, 2012, the public welfare requiring it.

### Status

#### Committee

#### Judiciary

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

#### House

**Delvin Tubbs, Univ of Tenn at Knoxville**

## TISL Bill 130

A RESOLUTION TO AMEND TENNESSEE CODE ANNOTATED, TITLE 36, CHAPTER 1, PART 115, RELATIVE TO RAISE THE ADOPTION AGE FROM EIGHTEEN (18) TO TWENTY-FIVE (25).

WHEREAS, the human brain doesn't fully develop until age twenty-five (25), and

WHEREAS, most eighteen (18) to twenty-five (25) year olds don't have the means financially, residentially, and emotionally to support a child, therefore

**BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Any person over twenty-five (25) years of age may petition the chancery or circuit court to adopt a person and may request that the adopted person's name be changed.

SECTION 2. The petitioners must have physical custody or must demonstrate to the court that they have the right to receive custody of the child sought to be adopted as provided in § 36-1-111(d)(6) at the time the petition is filed, unless they are filing an intervening petition seeking to adopt the child.

SECTION 3. If the petitioner has a spouse living, competent to join in the petition, such spouse shall join in the petition; provided, that if the spouse of the petitioner is a legal or biological parent of the child to be adopted, such spouse shall sign the petition as co-petitioner, and this shall be sufficient consent by the legal or biological parent for the petitioner's spouse to adopt the child of the legal or biological parent, and no surrender shall be necessary by such co-petitioning legal or biological parent. Such action by the legal or biological parent shall not otherwise affect the legal relationship between that parent and the child.

SECTION 4. The petitioner or petitioners shall have lived, or maintained a regular place of abode, in this state or on federal territory within the boundaries of this state for six (6) consecutive months immediately preceding the filing of the adoption petition.

SECTION 5. If the petitioner is in military service stationed out of this state, but had lived, or maintained a regular place of abode, within this state for six (6) consecutive months immediately prior to entering military service, the residency requirement in subsection (4) shall not apply.

SECTION 6. Where the petitioner is seeking to adopt a child that is related, the residency requirement in subsections (4) and (5) shall not apply if the petitioner is an actual resident of this state at the time the petition is filed.

SECTION 7. When a child is placed in a foster home by the department or otherwise, and becomes available for adoption due to the termination or surrender of all parental or guardianship rights to the child, those foster parents shall be given first preference to adopt the child if the child has resided in the foster home for twelve (12) or more consecutive months immediately preceding the filing of an adoption petition.

SECTION 8. In becoming adoptive parents, the foster parents shall meet all requirements otherwise imposed on persons seeking to adopt children in the custody of the department, and shall be subject to all other provisions of this part.

SECTION 9. This act shall take effect January 1, 2012, the public welfare requiring it.

### Status

#### Committee

**General Welfare I**

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

#### House

**Brandon Chrisman, Univ of Tenn at Knoxville**

## TISL Bill 131

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 4, CHAPTER 21, PART 401, RELATIVE TO THE OUTLINING DEFINITION OF DISCRIMINATORY PRACTICES.

WHEREAS, the current Tennessee Code Annotated does not include “Sexual Orientation” as a basis of discrimination for employment and discrimination for any reason such as this should be forbidden therefore,

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. The state shall require all hiring practices to forbid the use of judgment of sexual orientation as any basis for employment.

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 21, Part 401, is amended by deleting the existing language and inserting in lieu thereof the following:

(a) It is a discriminatory practice for an employer to:

(1) Fail or refuse to hire or discharge any person or otherwise to discriminate against an individual with respect to compensation, terms, conditions or privileges of employment because of such individual's race, creed, color, sexual orientation, religion, sex, age or national origin; or

(2) Limit, segregate or classify an employee or applicants for employment in any way that would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee, because of race, creed, color, sexual orientation, religion, sex, age or national origin.

SECTION 3. “Sexual Orientation” shall be defined as “the inclination of any individual with respect to heterosexual, homosexual, and bisexual behavior” as defined in Webster’s Dictionary.

SECTION 4. Any hiring organization that is found to be guilty of this shall be subject to the current laws in place by the state for discrimination.

SECTION 5. This act shall take effect December 28, 2011, the public welfare requiring it.

**Status**

**Committee**

General Welfare II

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

Boldface = Prime Sponsor

**Senate**

Garrett Montague, Univ of Tenn at Knoxville

**House**

Jason Monteleone, Univ of Tenn at Knoxville

## TISL Bill 132

A RESOLUTION TO GIVE PRIORITY TO INDIVIDUALS WITH SOCIAL WORK DEGREES (AND RELATED DEGREES) IN HIRING FOR ENTRY LEVEL POSITIONS WITHIN DEPARTMENT OF CHILDREN’S SERVICES (DCS).

WHEREAS, the individuals hired within DCS should have the best skills and education possible prior to the hiring of that individual, and

WHEREAS, the children and adults involved within DCS deserve the best service and treatment available, therefore

**BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. This only applies to when hiring for entry level positions within DCS. This does not include promotions or any other form of career advancement within DCS.

SECTION 2. Related programs would include undergraduate and graduate programs in fields such as, but not limited to, Child & Family Studies, Sociology, Social Work, etc. The concept of “related degrees” would be delegated to the individual doing the hiring.

**Status**

**Committee**

State & Local Government I

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

Boldface = Prime Sponsor

**Senate**

Garrett Montague, Univ of Tenn at Knoxville

**House**

Nicholas Beck, Univ of Tenn at Knoxville

## TISL Bill 133

### A RESOLUTION TO CALL FOR THE ADOPTION OF THE INTERNATIONAL SYSTEM OF UNITS

WHEREAS, the United States is one three countries in the world that do not use the International System of Units (SI), otherwise known as the metric system, and

WHEREAS, the scientific community uses SI exclusively, and all exports must be labeled differently in order to sell abroad, and

WHEREAS, the United States customary units currently used are clumsy, inefficient, confusing, and outdated for all involved, and

WHEREAS, the adoption of SI units would reduce confusion, lower costs and increase trade, increase student's mathematical capability, and help propel the rest of the nation into updating the system of measurement, therefore

#### **BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. All elementary school students should be taught SI units along with the U.S. customary units. Schools should make a concerted effort to use SI units wherever possible. SI units should be added to the curriculum for elementary students. After a few years, it would also be encouraged to be in the curriculum for middle and high school students. Within ten years, all students currently in school will be comfortable with SI. This will make shifting to SI throughout the state much easier.

(a) An awareness campaign should be planned to make parents aware of the changes. They would be encouraged to try to use SI units within their own home.

SECTION 2. A secondary awareness campaign could be launched to educate the general population about SI units. This would aid them in understanding conversion and the varying sizes of SI units.

SECTION 3. All speed limit and other such road signs should post both kilometers and miles. They should be of the same font, color, and size, although the kilometer may be posted below or behind the mile. After a while, this should be switched and the mile made smaller. Eventually, the mile posting will be eradicated.

SECTION 4. Businesses would be encouraged to include SI units on their products. If SI units are already labeled (such as on beverages), they would be encouraged to increase the size, or reverse the placement order. Eventually, laws could be drafted that would require these changes.

#### **Status**

##### **Committee**

##### **Commerce**

Pending on Calendar

##### **Senate**

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##### **House**

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#### **Sponsors**

**Boldface** = Prime Sponsor

##### **Senate**

**Garrett Montague, Univ of Tenn at Knoxville**

##### **House**

**Christie Thiessen, Univ of Tenn at Knoxville**

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# TISL Bill 134

## A RESOLUTION TO CALL FOR PRISON REFORM

WHEREAS, the focus of the penal system is increasingly about punishment instead of rehabilitation, and

WHEREAS, the recidivism rate in Tennessee is 54.8 percent, and

WHEREAS, an individual who is convicted of a non-violent crime yet is sentenced to jail is 20 percent more likely to become a repeat offender than someone convicted of a similar crime who only receives probation, and

WHEREAS, 678,713,700 dollars are spent on the Department of Correction while areas of the budget such as the departments of health, safety, and education are being cut due to budget shortages, therefore

**BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. In all cases possible, non-violent first-time offenders should not be incarcerated. Non-violent crimes would include but would not be limited to such acts as drug possession, failure to pay license fees, and fraud. Suitable sentences would include probation, community service, fines, house arrest, and substance addiction treatment. Voluntary programs could also be made available to these felons that would educate, train, or provide therapy.

SECTION 2. The money that would be saved from not incarcerating first-time non-violent offenders could be better spent increasing substance addiction treatment programs. These treatment programs would provide a safe place outside of prison for convicted drug users to take steps towards recovery. This in turn would reduce the number of repeat offenders, saving more money in the long run.

SECTION 3. Research should be conducted into alternative programs for educating and rehabilitating inmates while incarcerated. These could include but would not be limited to programs such as Criminon, Fairscape, or the Challenge Incarceration Program. These programs train inmates, provide therapy, and reduce their likelihood of committing a second offense.

SECTION 4. Future laws and research should be focused on rehabilitation instead of punishment. By aiming to reduce recidivism, we can truly reduce the crime rate in Tennessee and serve as an example to states across the nation.

### Status

#### Committee

**State & Local Government II**

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Garrett Montague, Univ of Tenn at Knoxville**

#### House

**Christie Thiessen, Univ of Tenn at Knoxville**

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## TISL Bill 135

AN ACT TO REPEAL TCA 55-9-603 ON SAFETY BELTS AND ADULTS.

WHEREAS, our government recognizes life, liberty, and the pursuit of happiness, among others, as natural rights that are to be protected, therefore

WHEREAS, the creation of a law that limits a citizen's liberty, yet that same law is not detrimental to the stability of society or infringes on another person's rights, undermines the original intentions of a free country, therefore

WHEREAS, enforcing the benefits a safety belt can sometimes provide, steals away from an individual's liberty, limiting that person to the opinions of others, and

WHEREAS, the responsibility of the state does not include forcing an individual to be safe or to not be safe on matters that do not affect anyone other than the individual.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. Any person the age of eighteen (18) or above shall retain the right to choose, for only themselves, to wear or not to wear a safety belt while in any vehicle under any circumstance.

Section 2. This act will take effect January 1, 2012

### Status

#### Committee

Transportation

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

#### House

Geoffrey Stevens, Univ of Memphis

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## TISL Bill 136

AN ACT TO REPEAL TCA 39-17-4 WHICH DEALS WITH THE DRUG LAWS IN THE STATE OF TENNESSEE

WHEREAS, the state government has no right to govern the bodies of citizens

WHEREAS, the state government does not have the authority to regulate the trafficking of drugs

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. Repeal of TCA 39-17-4, this will in effect repeal all drug laws under Title 39, Chapter 17, Part 4

Section 2. This act shall take effect 40 days after passage.

### Status

#### Committee

Judiciary

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

#### House

## TISL Bill 137

AN ACT TO CHANGE THE 'RIGHT-TO-CARRY' AGE TO EIGHTEEN YEARS OLD.

Whereas there is a high rate of violent crimes perpetrated against persons under the age of twenty-one and;

Whereas eighteen year olds can be fully competent of using a handgun and;

Whereas self-defense is a natural human right;

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

### Intercollegiate State Legislature:

Section 1: TN Bill 39-17-1351(b) be amended to replace the word 'twenty-one (21)' with the word 'eighteen (18)'

Section 2: The amended text shall read as follows: Except as provided in subsection (r), any resident of Tennessee who is a United States citizen or permanent lawful resident, as defined by 55-50-102, who has reached eighteen (18) years of age, may apply to the department of safety for a handgun carry permit. If the applicant is not prohibited from purchasing or possessing a firearm in this state pursuant to § 39-17-1316 or § 39-17-1307(b), 18 U.S.C. § 922(g), or any other state or federal law, and the applicant otherwise meets all of the requirements of this section, the department shall issue a permit to the applicant.

Section 3: This act shall take effect immediately the public welfare requiring it.

### Status

#### Committee

**General Welfare II**

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Mason Shelton, Lipscomb Univ**

#### House

**Barbara Haffner, Lipscomb Univ**

## TISL Bill 138

AN ACT TO MAKE ALL TENNESSEE SCHOOLS MORE ENERGY EFFICIENT

WHEREAS, schools in the U.S. spend more money on energy bills than on computers and text books combined.

WHEREAS, money spent on energy can instead be used for the increase of teacher pay and other school necessities and projects.

WHEREAS, Tennessee's Department of Education was recently awarded \$500 million by the Obama Administration's Race to the Top Program.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

### Intercollegiate State Legislature:

Section 1: All public schools in the state are required to replace their old heating systems with geothermal heating systems by the beginning 2013 school year.

Section 2. They are also required to replace all incandescent light bulbs with more energy efficient light fixtures by the beginning 2012 school year.

Section 3. All exit signs must be upgraded to LED bulbs by the beginning 2012 school year.

Section 4: During after school hours, all lights and computers must be turned off while not in use by the beginning 2012 school year.

### Status

#### Committee

**Education I**

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Mason Shelton, Lipscomb Univ**

#### House

**Akim Smith, Lipscomb Univ**

**Michael Sloan, Lipscomb Univ**

# TISL Bill 139

AN ACT TO PROHIBIT ILLEGAL DRUG USE BY ALL RECIPIENTS OF GOVERNMENT FINANCED WELFARE BENEFITS THROUGH THE USE OF MANDATORY DRUG TESTING, AND TO PROVIDE PENALIZATION FOR PERSONS WHO DO NOT MEET THIS STANDARD.

WHEREAS, it is in the best interest of the public and of the taxpayers of Tennessee to bring asunder the practice of welfare recipients using government provided funds to finance and support illegal drug use, therefore

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. All persons either applying for or being reevaluated for government provided welfare shall be subject to application level and reevaluation level drug-testing.

Section 2. Applicants and persons being reevaluated will be afforded two additional opportunities to pass the drug-testing phase in the event that the first test is failed.

(A) Each additional test will be conducted no sooner than thirty days after a failed test so as to allow the person ample opportunity to rid his or her body of any drug that may have yielded the failing result.

Section 3. The responsibility for administering and evaluating the drug testing is vested in the Department of Human Services on a municipal level.

Section 4. The responsibility to enforce the penalties of failed drug testing shall be vested jointly in the municipal Department of Human Services and the courts of the municipality of which the person failing the drug test is a resident.

(A) The responsibility for enforcing benefit related penalties is vested in the municipal Department of Human Services.

(B) The responsibility for enforcing legal penalties is vested in the courts of the municipality of which the person is a resident.

Section 5. The penalties for failed drug tests are as follows:

(A) Upon failing the first drug test, the person will be denied welfare benefits. If the person is also seeking welfare on behalf of a minor or minors, the portion of the welfare benefits denied shall be no more than the exact portion of the benefits that the parent or guardian would have otherwise been eligible for. The portion to be allocated to the minor or minors will remain unchanged by this act.

(B) Upon failing the second drug test, the person is denied their portion of the welfare benefits and is ordered to take part in a mandatory thirty-day drug rehabilitation program. During this time any minors involved shall be temporarily removed from the custody or guardianship of the adult in question. Upon satisfactory completion of the rehabilitation program, custody will be granted back to the parent or guardian.

(C) Upon failing the third drug test, which is to be given after the person's return from rehabilitation and upon that person's next evaluation for welfare, the person is denied their portion of the welfare benefits and is ordered to appear before a judge in the municipal system. If guilt is determined, the person is then subject to a mandatory sentence of thirty-days in jail. During this time the person will also undergo additional drug rehabilitation. Any minors involved are placed into the custody of the state for an indefinite period of time immediately following the third failed drug test. The amount of time that they are removed from parental custody is to be determined at the discretion of the municipal court and the Department of Human Services, and is to be based on whether or not the parent is deemed fit for custody.

**Status**

**Committee**

**General Welfare I**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Dan Buchanan, Univ of Memphis**

**House**

**Adam Bishop, Univ of Memphis**

Joseph Farrell, Univ of Memphis

Section 6. This act shall take effect January 1, 2012.

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## TISL Bill 140

AN ACT TO REPEAL TCA 39-17-5 WHICH DEALS WITH THE GAMBLING LAWS IN THE STATE OF TENNESSEE

WHEREAS, the state government has no right to govern the social interactions of its citizens

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

**Intercollegiate State Legislature:**

Section 1. Repeal of TCA 39-17-5, which will in effect repeal all gambling laws under Title 39, Chapter 17, Part 5

Section 2. This act shall take effect 40 days after passage.

**Status**

**Committee**

**State & Local Government II**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**House**

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## TISL Bill 141

AN ACT TO AMEND TCA 2-12-205 AND MOVE THE DATE OF THE TENNESSEE PRESIDENTIAL PRIMARY.

WHEREAS, the current primary date restricts the states influence in the presidential selection process.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

**Intercollegiate State Legislature:**

Section 1. On the first Tuesday in March before presidential electors are elected, a presidential preference primary shall be held for each statewide political party. If no candidate will appear on the presidential preference primary ballot of a political party under § 2-5-205, no presidential preference primary shall be held for that political party.

Section 2. This act shall take effect January 1, 2012

**Status**

**Committee**

**State & Local Government I**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Anna Haffner, Bryan College**

**Leanne Fairchild, Bryan College**

**House**

**Daniel Grayton, Bryan College**

**David Corwin, Bryan College**

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## TISL Bill 142

A RESOLUTION TO PROPOSE AN AMENDMENT TO ARTICLE VI, SECTION 5 OF THE CONSTITUTION OF THE STATE OF TENNESSEE, TO PROVIDE FOR THE POPULAR ELECTION OF THE ATTORNEY GENERAL AND REPORTER FOR THE STATE.

**BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

That Article VI, Section 5, of the Constitution of the State of Tennessee be constitutionally amended by deleting and replacing the first sentence with the following:

The Attorney General and Reporter for the state shall be popularly elected by the qualified voters of the state and shall hold elected office for a term of four years and until a successor is elected and taken the oath of office. The attorney general and reporter shall be at least twenty five years of age, shall be a citizen of the United States, shall be a duly licensed attorney, and shall have been a citizen of this state for no less than five years immediately preceding his or her election.

BE IT FURTHER RESOLVED, that upon the ratification of the amendment proposed herein at the November 2014 general election, it shall take effect the following statewide election of November 2016 when an Attorney General and Reporter is to be popularly elected and shall continue to be so every four (4) years thereafter.

BE IT FURTHER RESOLVED, that upon the ratification of the amendment proposed herein at the November 2014 general election, the Justices of the Supreme Court shall retain power to fill any premature vacancy arising in the office of Attorney General and Reporter until a special election has been called and finalized.

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**Status**

**Committee**

**State & Local Government I**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**House**

## TISL Bill 143

AN ACT TO REQUIRE RESTAURANTS TO PLACE NUTRITIONAL FACTS DIRECTLY ON THE MENU.

WHEREAS, Tennessee currently ranks as the 7th most obese state, with 30.8% of the population being obese, and

WHEREAS, one of the most successful ways to fight obesity, especially in children, is to watch the amount of calories being consumed.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. All restaurants with five or more chains must post all nutritional information (the number of calories, grams of protein, carbohydrates, and fats) on the menu. This information must easily accessible. The chain rule does not differentiate between owners of a franchise. If one franchise owner has three stores and another has two of the same store, all five of the stores must have the information posted.

Section 2. Seasonal food items placed on the menu for a maximum of 60 days are not required to be on the menu; however, the information needs to be readily available for anyone who requests the nutritional information.

Section 3. The local public health service will be in charge of conducting the compliance check. The compliance check will be conducted at the same time the restaurant is being evaluated on sanitation conditions.

Section 4. If the company does not have the information posted they will

a. First offense: The owner is given a warning and 30 days to post.

b. Second offense: The restaurant will be issued a fine. The fine will be determined under the basis of how many restaurants are not in compliance. The fine will be a \$500 fine per store not in compliance. For example, if three stores of a chain are not in compliance a \$1500 fine will be given. The fine will be placed on the owner of the store, not on the company. For example if a franchise of a company receives a fine, the franchise owner will be forced to pay, not the "Mother" Company.

c. Third Offense: Issued a fine of equal amount to the Second offense, along with immediate shut down of the facility until information is posted. Before the store can reopen, the owner must contact the local public health agency to receive clearance.

Section 5. If the company does not want to post information on the menu then they can contact the local public health agency with an alternate idea that must be approved. Failing to receive permission will receive in offenses issued.

To be enacted by January, 2013

### Status

#### Committee

Commerce

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface** = Prime Sponsor

#### Senate

**Jonathan Bennett, Univ of Memphis**

#### House

Matthew Coker, Univ of Memphis

# TISL Bill 144

A RESOLUTION TO ENCOURAGE THE INCLUSION OF EXPERIENTIAL LEARNING TO THE REQUIREMENTS OF RECEIVING A BACHELOR’S UNDERGRADUATE ACADEMIC DEGREE.

WHEREAS, service and hands on engagement in the field of a student’s carrier interest(s) will provide experience valuable to their future

WHEREAS, experience in the general field of interest can reduce the indecision in carrier path and collegiate major substantially

WHEREAS, the increasing prices of collegiate tuitions calls for an increase in benefits received by the student

**BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. Graduation from a collegiate institution under the jurisdiction of the Tennessee Higher Education Commission will require at least twenty (20) hours of volunteer service in the student’s field of study.

Section 2. Volunteer Service shall be defined as any task or labor done with out the reception of monetary payment for said task or labor.

Any work or labor done not falling under this definition of volunteer service may be considered towards the required hours of experiential learning at the discretion and consent of both a supervisor at the source of the students volunteer work and the appropriate staff of the department in which the students career path or major is contained.

Section 3. Validity of the completion of assigned volunteer hours will require a written assignment or academic project as defined by the appropriate department in which the student's career path or major is contained.

Section 4. Said volunteer hours will be assigned according to the following guidelines:

(a)Hour assignments are not to exceed ten (10) hours within the same academic semester.

(b)Hours assigned subsequent to the twenty (20) hour requirement for graduation will not require written assignments.

Section 5. The time line of completion of required hours will be set by the appropriate administration and departmental staff present at each collegiate institution.

Section 8. Any collegiate institution or program with current requirements of volunteer service shall adjust their requirements according to this resolution.

(a) Institutions and programs with current requirements exceeding those spelled out in this resolution are within good standing of this resolution.

(b) Institutions and programs without current requirements meeting those spelled out in this act shall adjust their curriculums according to the guidelines spelled out in this resolution.

**Status**

**Committee**

**Higher Education**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Gavin Mosley, Middle Tenn State Univ**

**House**

**Cameron Martin, Middle Tenn State Univ**

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## TISL Bill 145

AN ACT TO REPEAL TCA 39-17-13 WHICH DEALS WITH THE WEAPONS LAWS IN THE STATE OF TENNESSEE

WHEREAS, no government has the authority to regulate a man's natural rights

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

**Intercollegiate State Legislature:**

Section 1. Repeal of TCA 39-17-13, which will in effect repeal all weapons laws under Title 39, Chapter 17, Part 13

Section 2. This act shall take effect 40 days after passage.

**Status**

**Committee**

**State & Local Government I**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**House**

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## TISL Bill 146

AN ACT TO AMEND TITLE 71, CHAPTER 5, PART 3, TO REGULATE THE ACCEPTANCE OF E.B.T CARDS BY GAS STATIONS AND CONVENIENCE STORES WITHIN CLOSE PROXIMITY OF AN ACTUAL GROCERY STORE OR DISCOUNT FOOD CHAIN.

WHEREAS, to increase the cost benefit ratio of government assisted food program.

WHEREAS, to provide healthier food options for less cost to the consumer.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee**

**Intercollegiate State Legislature:**

Section 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 3, is amended by adding the following language as a new section 71-5-304

Any gas station or convenience store located within a two mile radius of a grocery store or discount food chain will be prohibited from accepting E.B.T cards as form of payment.

Any gas station or convenience store that falls outside of the two mile radius must have a state issued permit to accept E.B.T cards as form of payment.

Any gas station or convenience store that falls within the prohibited area will be fined a penalty of up to a \$500.00 fine per transaction to be enforced by the County Sheriff.

Section 2. This Act shall take effect February 1, 2012.

**Status**

**Committee**

**General Welfare II**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**House**

**Kenneth Williams, Middle Tenn State Univ**

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## TISL Bill 147

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 49, CHAPTER 6, PART 10, RELATIVE TO EDUCATION

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Tennessee Code Annotated, Section 49-6-1005, is amended by adding the following as new subsection (c) and by relettering the existing subsection (c) accordingly:

(c)

(1) The general assembly recognizes the freedom granted to families to raise and train their children in the manner they see fit. Human Sexuality is a complex subject with societal, scientific, psychological, and historical implications; those implications are best understood by children with sufficient maturity to grasp their complexity.

(2) Therefore, no public education facility under the level of high school shall discuss or provide any material discussing sexual orientation.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

**Status**

**Committee**  
**Education I**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface** = Prime Sponsor

**Senate**

**David Corwin, Bryan College**

**House**

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## TISL Bill 148

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 39, CHAPTER 13, PART 5, RELATIVE TO SEXUAL OFFENSES IN RELATION TO MINORS

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1. Tennessee Code Annotated, Section 39-13-531, is amended by adding the following as new subsection (b) accordingly:

(b)

Aggravated rape of a child is a Capital Felony.

**Status**

**Committee**  
**General Welfare I**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface** = Prime Sponsor

**Senate**

**David Corwin, Bryan College**

**House**

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## TISL Bill 149

AN ACT TO REQUIRE PEOPLE THAT ARE RESAVING GOVERNMENT RAN PROGRAMS SUCH AS FOOD STAMPS, UNEMPLOYMENT, SECTION 8 HOUSING, HEALTHCARE, AND DISABILITY TO SUMMIT FOR A RANDOM DRUG TEST MONTHLY.

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: All recipients of Tennessee Government programs as stated in the bill title are to summit for a random drug test every month.

Section 2: If anyone tests positive for drugs shall have what ever program their on immediate halted until that they can be retested within 48hr. If they test positive again they are to be removed for any programs and will not longer be permitted to receive government programs from Tennessee again.

Section 3: If they have a prescription that information needs to be provide before test so exceptions can be made.

### Status

#### Committee

Late Bills Committee

Pending on Calendar

#### Senate

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#### House

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### Sponsors

Boldface = Prime Sponsor

#### Senate

#### House

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## TISL Bill 150

A RESOLUTION TO CHANGE WHAT CAN BE BOTH BY FOOD STAMPS IN THE STATE OF TENNESSEE.

**BE IT RESOLVED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: No longer can anyone use food stamps perches soda drinks (such as Coke Pepsi ect. ) nor can you perches can and chips.

### Status

#### Committee

Late Bills Committee

Pending on Calendar

#### Senate

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#### House

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### Sponsors

Boldface = Prime Sponsor

#### Senate

#### House

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## TISL Bill 151

AN ACT TO AMEND T.C.A. § 39-13-101 TO PROVIDE FOR ENHANCED PUNISHMENT FOR SECOND AND SUBSEQUENT CONVICTIONS FOR ASSAULT.

WHEREAS, assault is a crime involving violence against a person;

WHEREAS, persons who engage in behavior constituting assault often repeat the offense;

WHEREAS, persons who have been convicted of one or more charges of assault often escalate their behavior to more serious violent crimes against others;

WHEREAS, studies have shown that the current penalties for convictions of assault in the state of Tennessee have not deterred repeated violations of these orders;

WHEREAS, Tennessee Code Annotated currently does not provide for increased punishment for the second and subsequent conviction for assault;

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. T.C.A § 39-13-101 shall be amended by adding subsection (c) as follows: Notwithstanding any provisions of § 39-13-101(b)(1) and (2), any second and subsequent conviction for assault shall be punished as a Class E felony.

This act shall take effect on January 1, 2012.

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### Status

#### Committee

Late Bills Committee

Pending on Calendar

#### Senate

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#### House

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### Sponsors

**Boldface = Prime Sponsor**

#### Senate

**Carla Rodgers, Southwest Tenn CC**

#### House

**Tumira Wicks, Southwest Tenn CC**

# TISL Bill 152

AN ACT TO AMEND TENNESSEE CODE ANNOTATED § 39-15-401 TO MAKE THE FAILURE OF A PARENT OR CUSTODIAN TO REPORT TO THE PROPER LEGAL AUTHORITIES THE DISAPPEARANCE OF HIS OR HER MINOR CHILD WITHIN TWENTY-FOUR (24) HOURS OF DETERMINING THAT THE MINOR CHILD HAS DISAPPEARED A VIOLATION OF THIS STATUTE.

WHEREAS, national statistics show that approximately forty-five (45) percent of missing and/or abducted children who are murdered die within the first hour of being abducted or disappearing and the number of deaths increases to seventy-six (76) percent during the first three hours; and

WHEREAS, failure to ascertain the location of young victims of violence in a timely manner can erode crucial evidence of the crime committed against them, which in turn may allow the perpetrators of crimes against these children to go unpunished.

WHEREAS, a parent or legal guardian is legally responsible for his or her child’s welfare until that child has reached the age of majority; and

WHEREAS, the failure of a parent or legal guardian to timely report the disappearance of his or her minor child increases the likelihood that the minor child will not be recovered safely; and

WHEREAS, this bill may be referred to as "Caylee's Law" in memory of children who have lost their lives due to the neglect of their parents and/or guardians;

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

SECTION 1: Tennessee Code Annotated § 39-15-401 shall be amended by adding a new subsection (d) to read as follows: A parent or custodian of a minor child commits the criminal act of child endangerment who knowingly fails or refuses to report to the proper legal authorities that his or her minor child has disappeared within twenty four (24) hours following the child’s disappearance.

SECTION 2: For purposes of this subsection (d):

(A) “Knowingly” means the parent or guardian knew, or should have known upon a reasonable inquiry, that the minor child had disappeared.

(B) “Disappeared” means that the whereabouts of the minor child were unknown to the parent or guardian and could not be reasonably ascertained by the parent or guardian.

(C) “Proper legal authorities” means any law enforcement officer employed by a law enforcement agency in the county where the disappearance of the child occurred.

(D) “Parent or custodian” means the biological or adoptive parent or any person who has legal custody of the child.

SECTION 3: A violation of this subsection (d) is a Class A misdemeanor; provided, however, that, if the minor child is twelve (12) years of age or less, the penalty is a Class E felony.

SECTION 4: The remaining sections of Tennessee Code Annotated § 39-15-401 shall be renumbered accordingly.

This act shall take effect immediately upon adoption, the public welfare requiring it.

**Status**

**Committee**

**Late Bills Committee**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Carla Rodgers, Southwest Tenn CC**

**House**

**Tracie Chakraborty, Southwest Tenn CC**

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# TISL Bill 153

AN ACT TO AMEND TENNESSEE CODE ANNOTATED § 4-21-401 TO INCLUDE PROTECTION AGAINST DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION TO INDIVIDUALS EMPLOYED BY THE STATE OF TENNESSEE OR ITS SUBSIDIARIES.

WHEREAS, the language within §4-21-401 of the Tennessee Code Annotated makes it unlawful for employees within the state of Tennessee to fail or refuse to hire or otherwise discriminate against an individual with respect to compensation, terms, conditions or privileges of employment because of an individual's race, religion, creed, color, sex, or national origin; and

WHEREAS, the statute does not currently provide protection against discrimination because of an individual's sexual orientation to employees or prospective employees of the state of Tennessee; and

WHEREAS, municipalities and local governments within the state of Tennessee are not granted the authority by the state to enact ordinances to protect government employees or prospective government employees against discrimination based on those individuals' sexual orientation,

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. Tennessee Code Annotated § 4-21-401 be amended to state: "No Tennessee state government agency, state administrative department, state court, nor any organization operating as a part or as a subsidiary of the state of Tennessee, nor any other state government entity enumerated in and granted power by Title 4 of Tennessee Code Annotated shall fail or refuse to hire or discharge any person or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, creed, color, religion, sex, sexual orientation, age, or national origin."

Section 2. This act shall take effect immediately upon passage, the public welfare requiring it.

**Status**

**Committee**

**Late Bills Committee**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Carla Rodgers, Southwest Tenn CC**

**House**

**Rodalton Poole, Southwest Tenn CC**

# TISL Bill 154

AN ACT TO AMEND TENNESSEE CODE ANNOTATED §49-8-201 TO INCREASE THE NUMBER OF STUDENT MEMBERS ON THE TENNESSEE BOARD OF REGENTS FROM ONE TO THREE WITH ONE (1) STUDENT MEMBER BEING FROM A STATE TECHNOLOGY CENTER, ONE (1) STUDENT MEMBER BEING FROM A TWO YEAR INSTITUTION AND ONE (1) STUDENT MEMBER BEING FROM A FOUR YEAR INSTITUTION, THUS CHANGING THE NUMBER OF BOARD MEMBERS FROM NINETEEN (19) TO TWENTY ONE (21).

WHEREAS, the Tennessee Code currently provides for one student member to serve on the Tennessee Board of Regents; and

WHEREAS, there are three (3) different student constituencies that are governed by the Board, namely state technology centers, state community colleges, and state four year colleges and universities; and

WHEREAS, having only one (1) student representative on the Board who is unlikely to be familiar with the concerns of the remaining constituencies does not provide adequate representation for those remaining constituencies; and

WHEREAS, there is a need for concurrent student representation from each of the student constituencies on the Board; and

WHEREAS, it is in the best interest of the three student constituencies to ensure a selection process that would allow systematic rotation of the student positions between the various technology centers, community colleges, and four year colleges and universities governed by the Board;

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. T.C.A. § 49-8-201(a)(1) shall be amended to increase the number of members on the Tennessee Board of Regents from nineteen (19) to twenty one (21) with three of those members to be full time students from educational institutions governed by the Board and chosen via the process set forth in Section 2 herein.

Section 2. T.C.A. § 49-8-201(b) shall be amended by deleting § 49-8-201(b), including its subsections, and § 49-8-201(c) and replacing the deleted language with the following:

The governor shall appoint one (1) student member from each of the following institutional constituencies: state technology centers, state community colleges, and state four year colleges and universities governed by the Tennessee Board of Regents to serve on the Board for one academic year. Selection of the three (3) student representatives shall be accomplished according to the process, schedule, and order set below:

(a) The first nominee from a technology center shall be from the state technology center located at Athens followed by the technology centers at Chattanooga, Covington, Crossville, Crump, Dickson, Elizabethton, Harriman, Hartsville, Hohenwald, Jacksboro, Jackson, Knoxville, Lexington, Livingston, McKenzie, McMinnville, Memphis, Morristown, Murfreesboro, Nashville, Newbern, Oneida, Paris, Pulaski, Ripley, Shelbyville, and Whiteville. When a nominee has been submitted from each technology center, the alphabetical cycle shall be repeated.

(b) The first nominee from a two-year institution shall be from Chattanooga State Community College, followed by Cleveland State Community College, Columbia State Community College, Dyersburg State Community College,

**Status**

**Committee**

**Late Bills Committee**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Carla Rodgers, Southwest Tenn CC**

**House**

## TISL Bill 154

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Jackson State Community College, Motlow State Community College, Nashville State Community College, Northeast State Community College, Pellissippi State Community College, Roane State Community College, Southwest Tennessee Community College, Volunteer State Community College, and Walters State Community College. When a nominee has been submitted from each two-year institution, the alphabetical cycle shall be repeated.

(c) The first nominee from a four-year institution shall be from Austin Peay State University, followed by East Tennessee State University, the University of Memphis, Middle Tennessee State University, Tennessee State University, and Tennessee Technological University. When a nominee has been submitted from each four-year institution, the cycle shall be repeated.

(d) Nominees for each of the three positions shall be chosen as follows:

(1) No later than January 15th of each year, the Chancellor of the Tennessee Board of Regents shall notify the Presidents of the state technology center, state community college, and state four year college or university designated to provide a qualified student representative for the upcoming academic year of the obligation to present nominees to fill the student representative position assigned to that institution for that year.

(2) Once notified, the Presidents of the respective institutions shall notify the student government association/associated student body, the student government association/associated student body president, and the student body of their respective institutions of the obligation to select qualified nominees to fill the designated student representative position. The President also shall ensure that qualified nominees are selected in a timely manner so that their names can be presented to the Governor no later than April 1st preceding the academic year for which those students will serve.

(3) Upon receipt of notification by the institution's President, the student government association/associated student body, student government association/associated student body president, and student body, via an election procedure established by that institution, each shall submit to the governor the name of one qualified student as its nominee to fill the student representative position designated to be filled by that institution for the upcoming academic year.

(4) Upon receipt of the names of the three nominees from each of the three institutions designated to fill their respective student representative positions for that upcoming academic year, the governor shall name the student representative from the list of nominees submitted by each institution to fill the student representative position designated to be filled by that institution for the upcoming academic year.

(5) Upon selection of the three student representatives, the governor shall notify the Chancellor and the President of each institution designated to provide a student representative for the upcoming academic year of the name of the student from that institution who has been selected to serve on the Board for the upcoming academic year. The governor also shall notify each of the three students selected to serve on the Board for that upcoming year. The Chancellor also shall notify the remaining institutions of the names of the students selected to fill the student positions on the Board for the upcoming academic year.

SECTION: Upon passage, this bill shall be designated a priority bill and included in the priority legislative packet presented to the Tennessee General Assembly.

This act shall take effect on January 1, 2012.

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# TISL Bill 155

AN ACT TO REQUIRE ALL DOGS AND CATS OWNED BY OR IN THE POSSESSION OF PERSONS RESIDING IN THE STATE OF TENNESSEE, WHETHER THOSE PERSONS BE LEGALLY DOMICILED IN THE STATE OR NOT, TO BE SPAYED OR NEUTERED.

WHEREAS, thousands of unwanted and abandoned dogs and cats are euthanized every year in the State of Tennessee; and

WHEREAS, this proposed act attempts to decrease the number of these unwanted pets in a humane way by requiring that all dogs and cats owned by or in the possession of persons residing in the State of Tennessee, whether those persons be legally domiciled in the State or not, be spayed or neutered; and

WHEREAS, the amount of taxpayer's money spent on control, care, and euthanizing of unwanted dogs and cats will be lowered as a result of this act; and

WHEREAS, the proposed act is a cost-effective way to prevent accidental or irresponsible breeding, while enabling shelters to make better use of their limited resources, and

WHEREAS, the proposed act exempts show dogs, working dogs, and service dogs, as well as cats and dogs owned by or in the possession of persons affected by this act who have a breeding permit issued by the State of Tennessee, without regard to whether the animal is a purebred or mixed-breed, and

WHEREAS, the proposed act will also allow a veterinarian to determine the best time to spay or neuter a cat or dog under his or her care based on the health of the animal,

**BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1. All dogs and cats owned by or in the possession of persons residing in the State of Tennessee, whether those persons be legally domiciled in the State or not, must be spayed or neutered, except as set forth in Section 3 below.

Section 2. Dogs and cats exempt from the ordinance shall include (1) those under 6 months of age, (2) those unable to be spayed or neutered for health reasons, (3) service dogs helping disabled persons or assisting law enforcement, (4) purebred dogs or cats that compete in confirmation, obedience, and agility events, (5) those that have been registered for a permit for breeding.

Section 3. (a) Any person owning, possessing, harboring, or having custody and control of a cat or dog in violation of this act shall be given a notice to comply and information regarding low cost spay and neuter services.

(b) If the violation is not corrected within 60 days of receipt of said notice, it shall be deemed a second violation and, in addition to correcting the violation, the person shall pay a civil penalty in the amount of \$100.00 or shall be allowed to perform eight hours of community service in a local animal shelter.

(c) Failure to pay the civil penalty or perform the community service and/or failure to correct the violation within the 60-day period, or any extension of that period permitted by the State, shall be deemed a third violation. The State then shall impose a civil penalty in the amount of \$500.00 or allow the person to perform 40 hours of community service in a local animal shelter, in addition to spaying or neutering the dog or cat.

**Status**

**Committee**

**Late Bills Committee**

Pending on Calendar

**Senate**

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**House**

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**Sponsors**

**Boldface = Prime Sponsor**

**Senate**

**Carla Rodgers, Southwest Tenn CC**

**House**

**Rodalton Poole, Southwest Tenn CC**

# TISL Bill 156

The purpose of this bill is to prohibit people from smoking in a car with infants or young children. Since secondhand smoke poses a health risk to chi

## AN ACT TO BAN SMOKING CIGARETTES IN A CAR WHERE CHILDREN ARE PRESENT

WHEREAS, Tennessee has the fifth highest percentage among all the states of adults that are cigarette smokers with 23.1% of adults age 18 and up currently smokers.

WHEREAS, Tennessee Public Health Act 410, also known as the "Non-Smoker Protection Act," already prohibits smoking in most public places to protect the health of others.

WHEREAS, Tennessee has the nation's fourth-highest death rate from lung cancer.

### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: TCA Title 55, Chapter 52 is amended by adding the following as an appropriately designated subsection.

"55-52-301

It is unlawful for any person to smoke cigarettes in a motor vehicle while children age 13 or under are present inside the vehicle.

55-52-302

A violation of TCA 55-52-301 shall be penalized as follows;

- (a) For the first offense, a Class C misdemeanor.
- (b) For the second offense, a Class B misdemeanor.
- (c) For all subsequent offenses, a Class A misdemeanor.

55-52-303

All violations of TCA 55-52-301 will be transmitted to the Tennessee Department of Child Services.

Section 2: All laws or parts of laws in conflict with this act or any provisions of it are hereby repealed.

Section 3: This Act shall take effect on July 1, 2012.

### **Status**

#### **Committee**

**General Welfare II**

Pending on Calendar

#### **Senate**

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#### **House**

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### **Sponsors**

**Boldface** = Prime Sponsor

#### **Senate**

#### **House**

Ellen Horne, Vanderbilt Univ

# TISL Bill 157

This bill requires students in Tennessee to perform community service hours in order to graduate high school. This bill not only helps the community,

## AN ACT TO REQUIRE STUDENTS IN TENNESSEE PUBLIC HIGH SCHOOLS TO COMPLETE COMMUNITY SERVICE OR SERVICE LEARNING AS A REQUIREMENT FOR GRADUATION

WHEREAS, community service participation is positively associated with students' personal and social development

WHEREAS, service learning is defined as a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civic responsibility, and strengthen communities.

WHEREAS, community service is an important part of college applications and will give Tennessee students a competitive edge applying to universities

WHEREAS, studies have shown that students who participated in service-learning programs scored higher on standardized tests for language arts and science

WHEREAS, struggling communities and individuals in Tennessee would greatly benefit from community service hours from students, especially during periods of economic downturn

### **BE IT ENACTED by the 42nd General Assembly of the Tennessee Intercollegiate State Legislature:**

Section 1: Amend TCA Title 49, Chapter 6 Part 12 by creating a new, appropriately designated subsection:

49-6-1209 Community Service or Service Learning

(a) All public high school students in Tennessee must complete 75 hours of community service or service learning in order to receive a diploma(b) Each school district may design their own implementation model to meet local academic and community needs

(c) Each school district shall develop and implement a curriculum to allow students to complete this service learning requirement.

(d)Some students be exempt from requirement if they are a main source of income for their family. Exemptions will be made at the discretion of the administration of the student's high school.

(e) The provisions of this section will be applicable to all students entering 9th grade in August 2013 or later.

Section 2: All laws or parts of laws in conflict with this act or any provisions of it are hereby repealed

Section 3: This Act shall take effect on July 1, 2012.

### **Status**

#### **Committee**

**Higher Education**

Pending on Calendar

#### **Senate**

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#### **House**

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### **Sponsors**

**Boldface** = Prime Sponsor

#### **Senate**

#### **House**

Ellen Horne, Vanderbilt Univ