



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

TISL Bill 50

AN ACT TO INSTALL ADDITIONAL SPEED LIMITS SIGNS ALONG STATE ROADS.

WHEREAS, there are an insufficient amount of speed limit signs that can be too far apart for motorists to know the current speed limit of the road they are on and unknowingly exceed the speed limit and receive a ticket, and

WHEREAS, motorists exceeding the speed limit due to a lack of knowledge of the speed limit concurrent to the lack of speed limit signs is dangerous to other drivers and pedestrians and can cause injury or death, and

WHEREAS, travelers on said roads lacking proper posted speed limit signs are presently receiving unwarranted citations due to negligence, not disrespect for the law,

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

Section 1: Upon passage of this bill the state will:

(a) Install the proper speed limits within five (5) miles of another speed limit sign.

(b) Will ensure that the said speed limit signs are up to current regulations, per the state code and the U.S. Department of Transportation Federal Highway Administration's Manual on Uniformed Traffic Control Devices (MUTCD.)

Section 2: This act shall take effect July 1, 2011.

Status

Committee
Transportation

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

John Stubblefield, Tenn Technological Univ

House

Will Nelson, Tenn Technological Univ

TISL Bill 51

AN ACT TO AMEND TCA 55-10-415 2(D)

WHEREAS, (d)(1) States “The offense of underage driving while impaired for a person age 18 or over but under the age 21 is a Class A misdemeanor punishable only by a driver license suspension of 1 year and by a fine of \$250. As additional punishment, the court may impose public service work”, and

WHEREAS, (d)(2) Which states “The delinquent act of underage driving while impaired for a person age 16 or over but under the age 18 is punishable only by a driver license suspension of 1 year and by a fine of \$250. As additional punishment, the court may impose public service work”, and

WHEREAS, the state of Virginia has implicated such punishments as the person will have at least a 6 month license suspension, a \$500 fine or 50 hours of community service and is subject to have a permanent criminal record in the state of Virginia, and

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

Therefore, Section D. To Amend § 55-10-415 to state “The offense of underage driving while impaired for a person age 16 or over but under the age 21 is a Class A misdemeanor punishable by a driver license suspension of at least 1 year, a fine of no more than \$500, and a minimum of 10 hours of community service will be rendered.”

Section 1. Any underage person between the ages of 16-20 will be subject to these jurisdictions.

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

Status

Committee

Judiciary

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Brooke Childers, Bethel Univ

Lori Magnusen, Bethel Univ

House

Caleb Butler, Bethel Univ

Sasha Arnold, Bethel Univ

TISL Bill 52

On May 23, 2011, Governor Haslam signed a bill into law called the "Equal Access to Intrastate Commerce Act" which is supposed to make business practi

AN ACT TO AMEND § 4-21-102 IN ORDER TO INCLUDE LESBIAN, GAY, BISEXUAL, AND TRANSGENDERED INDIVIDUALS IN THE EQUAL ACCESS TO INTRASTATE AND COMMERCE ACT

WHEREAS, Lesbian, Gay, Bisexual, and Transgendered individuals are not included in the Equal Access to Intrastate Commerce Act, and

WHEREAS, not including Lesbian, Gay, Bisexual, and Transgendered individuals in the Equal Access to Intrastate Commerce Act allows Lesbian, Gay, Bisexual, and Transgendered individuals to be discriminated against,

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

Section 1. Section 4-21-102(4) shall be amended to read:

"Discriminatory practices" means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons because of race, creed, color, religion, sex, age, national origin, or sexual orientation.

Section 2. Add Section 4-21-102(21) to read:

"Sexual orientation" refers to individuals that identify as Lesbian, Gay, Bisexual, or Transgendered.

Section 3. Section 4-21-102(20) shall be amended to read:

"Gender identity" means and refers to how an individual person identifies as male or female.

Section 4. All reference to the word "sex" within Tennessee Code Annotated Title 4, Chapter 21, shall be amended to read "gender identify"

Section 5. This shall take effect on July 1, 2012.

Status

Committee

Judiciary

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Betsy Swann, Rhodes College

Kelly Johnson, Rhodes College

House

Tyler Adams, Rhodes College

Justice Thompson, Rhodes College

Jess Wilder, Rhodes College

TISL Bill 53

AN ACT TO IMPLEMENT A FOREIGN LANGUAGE IN ELEMENTARY AND SECONDARY SCHOOLS AS A GRADUATION REQUIREMENT

WHEREAS, learning a second language at an early age has a positive effect on intellectual growth and enhances mental development, and

WHEREAS, research done by the American Council on the Teaching of Foreign Languages, has shown that students learning another language at a young age score higher in math and reading, and

WHEREAS, the majority of schools focus only on giving introductory exposure to a language rather than achieving overall proficiency, and

WHEREAS, studying a foreign language earlier and longer allows students to gain a level of fluency, and

WHEREAS, this will create and expand the job market for teachers in the foreign language department, and will open the international job market to students who will be fluent in a second language, and

WHEREAS, foreign languages are not just an education issue, but are also concerned with economic, civic, social, and national security issues, therefore

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

Section 1: All elementary schools will begin teaching a foreign language in kindergarten classes and continue this education throughout secondary school as a graduation requirement for all students having been enrolled in a Tennessee school before third grade.

Section 2: In order to obtain the best level of fluency for students, all schools in the same school system will offer consecutive courses in selected language from K through 12.

Section 3: Additional languages may be taught in secondary schools, but it will be mandatory for the students to fulfill the school's initial foreign language requirements in addition to any other language they may choose to study.

Section 4: Students transferring into a Tennessee school after third grade will still be expected to study a foreign language every year they are enrolled in a Tennessee school. Beginner courses for transfer students will be offered as well.

Section 5: This bill will cost approximately \$187,000,000 for teacher salaries, initial start-up costs including materials needed for instruction.

Section 6: This act shall take effect July 1, 2012.

Status

Committee
Education II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Dan Buchanan, Univ of Memphis

House

Victoria Busse, Univ of Memphis

Jess Wilder, Rhodes College

TISL Bill 54

AN ACT TO AMEND TENNESSEE CODE ANNOTATED 67-8-316

WHEREAS, 67-8-316 (b) says, “For the sole purpose of determining the net taxable estate under this part and part 4 of this chapter, there shall be allowed against the net estate a maximum single exemption against that portion of the estate distribution to one (1) or more beneficiaries of an amount to be determined by the following schedule:

- In the case of a decedent dying: Amount
- On or after July 1, 1998, but before \$625,000
- January 1, 1999
- In 1999 \$ 650,000
- In 2000 and 2001 \$ 675,000
- In 2002 and 2003 \$700,000
- In 2004 \$ 850,000
- In 2005 \$ 950,000
- In 2006 and thereafter \$ 1,000,000, and

WHEREAS, the net estate maximum single exemption against that portion of the estate distribution to one (1) or more beneficiaries has been periodically increased over several years, and

WHEREAS, the federal maximum single exemption has been raised to Five Million Dollars, and

WHEREAS, to keep with consistency of raising the single exemption periodically,

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

Section 1. Amend 67-8-316 (b) to say, “For the sole purpose of determining the net taxable estate under this part and part 4 of this chapter, there shall be allowed against the net estate a maximum single exemption against that portion of the estate distribution to one (1) or more beneficiaries of an amount to be determined by the amount at least equal to that of the federal exemption standard.

Section 2. This act shall take place on January 1, 2012

Status

Committee
Commerce
Pending on Calendar
Senate
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House
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Sponsors

Boldface = Prime Sponsor
Senate
Caleb Butler, Bethel Univ
Sasha Arnold, Bethel Univ
House
Brooke Childers, Bethel Univ
Lori Magnusen, Bethel Univ

TISL Bill 55

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

WHEREAS, the constitution of the United States, the supreme law of the land, prohibits discrimination based on one’s religious convictions,

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

SECTION 1. The Constitution of Tennessee, Article IX, Section 2 is repealed.

(a) The Constitution of Tennessee, Article IX, Section 2 states:

1) 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.

SECTION 2. This act shall take effect January 1, 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
Monandi Ogega, Lane College
House
Cynthia Diaz, Lane College

TISL Bill 56

AN ACT TO REQUIRE BI-YEARLY DRUG TESTING OF APPLICANTS FOR PUBLIC HOUSING, FOOD STAMPS, OR WELFARE BENEFITS IN ACCORDANCE WITH TCA 71-1-132.

WHEREAS, the use of welfare benefits to fund the development and distribution of illegal drugs has been documented by the state, and

WHEREAS, drug tests for government assistance would be deterrence to possible drug dealers and developers,

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

Section 1.

(a) All recipients of food stamps, public housing, and welfare benefits will be drug tested every six months in order to receive benefits.

i. The Department of Human Services may administer saliva tests in lieu of other methods when deemed necessary.

(b) Failure of a drug test will lead to a reprimand of funds for the beneficiary.

i. The individual will be retested after a period of three months. Benefits will be reinstated if a drug test is passed at this time.

ii. The individual will not be reimbursed for lost benefits during the suspension.

iii. Any recipient with a dependent(s) in his/her household will be interviewed by a Department of Child Services Representative to determine if he/she is suitable to maintain stable care of the dependent(s).

Section 2. This act shall take effect July 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

Jarod Saucedo, Univ of Tenn at Martin

House

Mary Jean Hall, Univ of Tenn at Martin

TISL Bill 57

AN ACT TO AMEND TCA 55-9-302 RELATIVE TO MOTORCYCLE SAFETY.

WHEREAS, Tennessee forces adults to wear protective helmets when riding on motorcycles, and

WHEREAS, it is not the place of the government to criminalize behavior by consenting adults that harms no one else, and

WHEREAS, it should be recognized that minors do not have the capacity to make certain choices on their own,

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

Section 1. Tennessee Code Annotated § 55-9-302 (a) is amended by striking the language, "The driver," and, "and any passenger on any of these" and adding the language, "Any minor who is the driver or passenger" at the beginning.

Section 2. Tennessee Code Annotated § 55-9-302 (b) (4) is struck in its entirety.

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

Status

Committee

Transportation

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sarah Appleton, Univ of Tenn at Martin

House

William Morris, Univ of Tenn at Martin

TISL Bill 58

A RESOLUTION TO REPEAL ARTICLE IX OF THE CONSTITUTION OF THE STATE OF TENNESSEE.

WHEREAS, ministers and duelists cannot currently hold office in Tennessee, and

WHEREAS, Article IX Section 1 of the Constitution of the State of Tennessee is unenforceable, as ministers have served in the Legislature since the Constitution was enacted, and

WHEREAS, Article IX Section 2 of the Constitution of the State of Tennessee is unenforceable, as it contradicts Article I, Section 4 of the same, which states that no religious test shall be required to hold any sort of political office in this state, and

WHEREAS, Article IX Section 3 of the Constitution of the State of Tennessee is a relic, as duels are not normally held in this day and age, therefore

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

Section 1. Upon passage of this resolution at consecutive General Assemblies, as outlined in Article XI Section 3 of the Constitution of the State of Tennessee, a referendum shall appear on the ballot of the first general election after its passage in which a governor is elected.

Section 2. Pursuant to Article XI Section 3 of the Constitution of the state of Tennessee, if the referendum passes with a majority of people voting for governor voting in the affirmative, Article IX of the Constitution of the State of Tennessee shall be struck in its entirety and subsequent articles will be re-numbered accordingly.

Status

Committee

State & Local Government I

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sarah Appleton, Univ of Tenn at Martin

House

William Morris, Univ of Tenn at Martin

TISL Bill 59

A RESOLUTION TO HONOR THE GIRL SCOUTS OF THE USA ON ITS 100TH ANNIVERSARY.

WHEREAS, Juliette Gordon Low organized the first Girl Scout Troop on March 12, 1912, and Girl Scout Troops have been established in the state of Tennessee since 1917, and

WHEREAS, Girl Scouts of the USA was chartered by the United States Congress on March 16, 1950, and

WHEREAS, with a current nationwide membership of over 2.4 million, and more than 50 million alumnae, Girl Scouts of the USA has impacted and is continuing to impact the lives of many young women, and

WHEREAS, the three Girl Scout councils located in Tennessee serve more than 40,000 girls and women, and

WHEREAS, Girl Scouts of the USA seeks to mold successful citizens by teaching girls to be courageous, confident, and moral, and

WHEREAS, Girl Scouts of the USA began its 100th anniversary celebration earlier this month during its national council session,

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

that the assembly does hereby recognize the Girl Scouts of the USA on its 100th anniversary.

BE IT FURTHER RESOLVED, that the assembly congratulates and commends the Girl Scouts of the USA on their 100th Anniversary, and recognizes the achievements of the organization and the impact that the Girl Scout program has had on youth in Tennessee, across the United States and throughout the world.

Status

Committee

General Welfare I

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sarah Appleton, Univ of Tenn at Martin

House

Jessica Watts, Univ of Tenn at Martin

TISL Bill 60

AN ACT TO REQUIRE PHOTOGRAPHIC IDENTIFICATION OF PERSONS RECEIVING FOOD STAMP BENEFITS THROUGH THE USE OF ELECTRONIC BENEFITS TRANSFER CARDS.

WHEREAS, food stamp trafficking diverts a large amount of money from food stamp benefits, with the USDA reporting an estimated loss of \$241 million nationwide in 2005, the most recent period for which data is available, and

WHEREAS, the rate of food stamp trafficking could be reduced by verifying the identification of those persons making purchases with food stamp benefits,

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

Section 1. Any person seeking to use a Benefit Security Card, otherwise known as an electronic benefits transfer (EBT) card, to purchase food items or receive cash benefits from any retail location in the state of Tennessee must present a driver's license or other form of photographic identification, in order to verify that the person receiving the benefits is the same person whose name is displayed on the card.

Section 2. Upon request, the Department of Human Services will issue multiple Benefit Security Cards to families receiving SNAP benefits, with each card bearing the name of one family member.

Section 3. This act shall take effect July 1, 2013.

Status

Committee

General Welfare II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sarah Appleton, Univ of Tenn at Martin

House

Michael Boyd, Univ of Tenn at Martin

TISL Bill 61

AN ACT TO ALLOW PATERNAL RIGHTS TO BE TERMINATED.

WHEREAS, advocates of abortion claim it as vital to the preservation of a woman's rights, personal freedom, and privacy, and

WHEREAS, advocates of abortion also claim that the denial of a woman's right to abortion are subjected to compulsory motherhood and "involuntary servitude," and

WHEREAS, men should have the same rights as women over their reproductive rights and obligations, and

WHEREAS, there are some cases where men have been forced into fatherhood without their consent,

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

Section 1. A man may terminate his rights to an unborn child which he has conceived and would have no other obligations to said child.

Section 2. The mother of the unborn child may petition for child support from the biological father only if proof is provided that she informed the father of the pregnancy within ten (10) weeks of a medical confirmation of pregnancy. Proof is determined in the following ways:

(a) Notice of pregnancy: The notice of pregnancy must be served within ten (10) weeks of the medical confirmation of pregnancy. The mother may arrange to deliver the notice of pregnancy by personal service, substitute service, office service, or service by mail, as well as other options, if approved by a judge. Proof of delivery must be provided to the court.

(i) If the mother is unable to complete delivery of notice of pregnancy using one of the stated methods, due to the inability to locate the father, the court must be informed. The mother is then obligated to prove to the court that she showed diligent effort in locating the father and notifying him of the pregnancy.

(ii) Once the father has been served the notice of pregnancy, he must report to the court within three (3) weeks from the time he received the notification. He must confirm to the court that he has been informed of the pregnancy and whether in intends to terminate parental rights. If the court receives confirmation that the father has received notification of pregnancy, but has not responded within the three (3) week period, the father is liable for child support.

Section 3. If the mother does not have proof that she informed the father of the pregnancy within ten (10) weeks of the medical confirmation, she will have no right to petition for child support from the father.

Section 4. If the father of the child chooses to terminate his parental rights, all parental rights will be permanently terminated. From the moment he signs the waiver of paternal rights forward, he should have no access to the child nor shall paternal rights ever be reinstated.

Section 5. This act shall take effect January 1, 2013.

Status

Committee
General Welfare II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

**Sarah Appleton, Univ of Tenn at
Martin**

House

Regina Hilt, Univ of Tenn at Martin

TISL Bill 62

AN ACT TO AMEND TCA § 49-3-366 REGARDING TEACHERS' SALARIES

WHEREAS, to have better educated students, Tennessee must have the best teachers, and

WHEREAS, many highly qualified teachers are leaving the profession in order to make more money elsewhere, and

WHEREAS, increasing the base salary for teachers would entice more people to enter the field of education, and

WHEREAS, increasing the number of teachers competing for jobs would increase the ability of schools to hire only the most capable of teachers, and

WHEREAS, the average pay for beginning teachers in other states is as high as \$39,259 in Connecticut, and

WHEREAS, Tennessee should be competing for good teachers with the entire nation, therefore

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

Section 1. The base salary for teachers as is recorded in TCA § 49-3-366 should be increased from \$34,000 to \$40,000

Section 2. This act shall take effect 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

Sasha Arnold, Bethel Univ

Caleb Butler, Bethel Univ

House

Lori Magnusen, Bethel Univ

Brooke Childers, Bethel Univ

TISL Bill 63

AN ACT TO REQUIRE TENNESSEE DRIVERS TO PASS A WRITTEN EXAMINATION EVERY FIVE YEARS DURING THE LICENSE RENEWAL PROCESS.

WHEREAS, according to the NHTSA, over 68% of fatal accidents that occurred in the year 2005 were caused by drivers over the age of twenty-six, and

WHEREAS, over the past few decades, more education has been offered to the younger age groups, and those over the age of twenty-six do not benefit from these educational opportunities,

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

Section 1. Tennessee Code Annotated § 55-50-338 shall be amended by adding:

(a) The department shall make available at all driver license stations and shall include in general or routine mailings to drivers pursuant to this part, every five years with the license renewal forms, an educational pamphlet or insert explaining the new Tennessee driving laws that have been updated within the past five years.

(1) The drivers shall take a required examination on the current laws state driving laws before the driver can be eligible to receive the new license.

(2) The driver must pass the examination with 70% or more.

(3) The examination may be administered in person at a driver license station and online.

(4) The educational pamphlet shall be updated at least once a year.

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

Status

Committee

Transportation

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Jarod Saucedo, Univ of Tenn at Martin

House

Mary Jean Hall, Univ of Tenn at

Martin

TISL Bill 64

A RESOLUTION RECOGNIZING THE AWESOME POWER OF A GAMMA-RAY BURST.

WHEREAS, gamma-ray bursts are the most luminous electromagnetic events to occur in the universe, and

WHEREAS, gamma-ray bursts have the potential to completely alter the Earth, and

WHEREAS, gamma-ray bursts are deserving of extreme respect,

BE IT RESOLVED by the 42nd General Assembly of the Tennessee

Intercollegiate State Legislature:

that the General Assembly of the Tennessee Intercollegiate State Legislature hereby recognizes the awesome power of a gamma-ray burst and classifies it as the most impressive cosmic event in our universe.

Status

Committee

Education II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Jarod Saucedo, Univ of Tenn at Martin

House

Michael Boyd, Univ of Tenn at Martin

TISL Bill 65

AN ACT TO PROHIBIT THE SALE OF DRUG PARAPHERNALIA IN RETAIL STORES.

WHEREAS, the sale of drug paraphernalia promotes illegal drug use and impairs the safety of citizens

WHEREAS, drug paraphernalia frequently are sold at tobacco shops, trendy gift and novelty shops, gas stations, and convenience stores, therefore

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

Intercollegiate State Legislature:

Section 1. The retail storeowner found engaging in the sale of drug paraphernalia, as defined by § 39-17-402, will be guilty of the crime of "Sale of Drug Paraphernalia".

Section 2. Upon conviction in a competent Court of law, the judge shall sentence the storeowner to one of the following punishments:

(a) For the first offense, a Class B misdemeanor

(b) For the second, a Class A misdemeanor

(c) For the third offense and subsequent offenses, a Class E Felony

Section 3. This act shall take effect January 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

Tyler Keele, Motlow State CC

House

Laura Hudgens, Motlow State CC

TISL Bill 66

AN ACT TO REQUIRE ALL GENETICALLY MODIFIED (GM) FOODS TO BE LABELED

WHEREAS genetically modified foods, as defined by the World Health Organization (WHO), are “foods derived from organisms whose genetic material (DNA) has been modified in a way that does not occur naturally, e.g. through the introduction of a gene from a different organism. GM foods stem mostly from plants, but in the future foods derived from GM microorganisms or GM animals are likely to be introduced on the market,” and

WHEREAS the technology used to develop GM foods is often referred to as “gene technology” or “modern biotechnology.” Gene technology can transfer selected individual genes from one organism into another (perhaps) non-related species, and

WHEREAS gene technology is used to modify the DNA of plants, which, in turn, produce GM foods, and

WHEREAS GM foods are generally developed to improve yield, improve insect resistance, improve resistance to diseases and frost, increase tolerance of herbicides, and improve nutrition, and

WHEREAS according to the WHO, “specific systems have been set up for the rigorous evaluation of GM organisms and GM foods relative to both human health and the environment,” and

WHEREAS the most common concerns in relation to GM foods are allergenicity, gene transfer, and outcrossing, and

WHEREAS outcrossing occurs in “The movement of genes from GM plants into conventional crops or related species in the wild as well as the mixing of crops derived from conventional seeds with those grown using GM crops, [which] may have an indirect effect on food safety and food security. This risk is real, as was shown when traces of a maize type which was only approved for feed use appeared in maize products for human consumption in the United States of America,” and

WHEREAS there are several serious concerns for the environment in relation to GM seeds and plants that include, but are not limited to: “the capability of the GMO to escape and potentially introduce the engineered genes into wild populations; the persistence of the gene after the GMO has been harvested; the susceptibility of non-target organisms (e.g. insects which are not pests) to the gene product; the stability of the gene; the reduction in the spectrum of other plants including loss of biodiversity; and increased use of chemicals in agriculture;” and

WHEREAS in 2007, the following countries required GM foods to be labeled: Australia, China, Russia, New Zealand, Norway, Japan, Saudi Arabia, Taiwan, South Korea, Switzerland, and even the European Union. Obviously this is deemed a serious issue in other countries, and

WHEREAS countries with plans to introduce a labeling policy (in 2007) included: Bolivia, Cameroon, Colombia, Egypt, Ethiopia, Georgia, India, Israel, Ivory Coast, Jamaica, Malaysia, Namibia, Nigeria, Paraguay, Peru, Singapore, Uganda, UAE, Uruguay, Zambia, and

WHEREAS in 2007, the countries whose GM food labeling policies were voluntary included only Canada, Hong Kong, South Africa, and the United States, and

WHEREAS the world’s leading producers of GM crops are the United States, Argentina, Brazil, Canada, India, and China, and

WHEREAS Europe is extremely distrustful of GM foods, so much that GM foods are barely grown there, and

Status

Committee

General Welfare II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Lindsey Spayd, Trevecca Nazarene Univ

Lyndsi Groves, Trevecca Nazarene Univ

House

Lyndsi Groves, Trevecca Nazarene Univ

TISL Bill 66

WHEREAS according to The American Heritage College Dictionary, a patent is defined as “a grant made by a government that confers upon the creator of an invention the sole right to make, use, and sell that invention for a set period of time,” and

WHEREAS “in 2008 the Action Group on Erosion, Technology and Concentration reported that the largest of [seed and agriculture] companies, including BASF, Bayer, DuPont, Monsanto and Syngenta, had already filed 532 patent documents on so-called 'climate ready' genes at patent offices around the world,” and

WHEREAS various seed and agriculture corporations (and potential monopolies) such as those previously mentioned, and especially Monsanto, have filed a litany of suits against farmers for patent infringement, and

WHEREAS long term studies on GM food safety have not been undertaken, and

WHEREAS it is vital that we reduce ignorance of the negative effects of GM crops and thus attempt to stop these negative effects of genetic modifications, such as allergenicity, gene transfer, and outcrossing; that we understand we have the right to know which of the foods we consume are genetically modified; that we recognize this is not just a local or national issue, but instead a universal issue; that we put a halt to the rising threat of monopolistic seed and agricultural corporations and their ensuing damaging effects on the environment and, especially, farmers; and, therefore

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

Section 1. All genetically modified foods clearly be labeled as such for individual consumers and wholesalers alike.

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

TISL Bill 67

AN ACT TO AMEND TENNESSEE CODE ANN. 39-13-312 (C) REGARDING HUMAN TRAFFICKING

WHEREAS, (c) says, "The clerk of the court where the forfeiture occurs shall transmit forty percent (40%) of the proceeds from all forfeitures made pursuant to § 39-11-703(c) as follows", and

WHEREAS, (c)(1) says, "Twenty percent (20%) to the law enforcement agency conducting the investigation that resulted in the forfeiture for use in training and equipment for the enforcement of the human trafficking laws", and

WHEREAS, (c)(2) says, "Twenty percent (20%) to the district attorneys general conference for education, expenses, expert services, training or the enhancement of resources for the prosecution of and asset forfeiture in human trafficking cases", and

WHEREAS, (c)(3), which is not yet added, Will aim to further reduce the amount of sex trafficking and human trafficking by cutting off traffickers means of transportation for business, and furthermore striving to uncover the severity of the issue on our highway corridors, and

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

Therefore, Section C. Amend § 39-13-312, if added, Therefore (c)(3) would add an additional 5% to the clerk of the court to equal 45% instead of 40%(money from forfeitures). Therefore, "Five Percent (5%) to be contributed to law enforcement strictly on the bases of performing highway patrol checkpoints in order to prevent and therefore reduce human trafficking.

Section 4. This act shall take place on 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

Sasha Arnold, Bethel Univ

Caleb Butler, Bethel Univ

House

Lori Magnusen, Bethel Univ

Brooke Childers, Bethel Univ

TISL Bill 68

AN ACT TO REQUIRE AUTOMOBILE OWNERS TO PROVIDE CURRENT PROOF OF INSURANCE FOR AN AUTOMOBILE IN ORDER TO REGISTER SAID AUTOMOBILE

WHEREAS, an uninsured automobile driver poses great threat to safety, security, and peace between automobile drivers

WHEREAS, automobile drivers are required by law to carry proof of insurance in their vehicle in order to drive said automobile

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

SECTION 1. The owner of an automobile shall be required to provide current proof of insurance for the automobile in order to register said automobile.

SECTION 2. Any automobile owner who is unable to provide current proof of insurance for said automobile will be unable to register that automobile.

SECTION 3. This act shall take effect July 30, 2012

Status

Committee

Transportation

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sam Killebrew, Nashville State CC

House

Brian Reynolds, Nashville State CC

Carling Lobello, Nashville State CC

TISL Bill 70

This resolution is intended to begin the process of amending the Tennessee Constitution to repeal Article 9. Article 9 prohibits pastors, atheists (or

A RESOLUTION TO REPEAL ARTICLE 9 OF THE TENNESSEE CONSTITUTION

WHEREAS, Article six (6), Section three (3) of the United States Constitution strictly prohibits the application of a religious test as a condition of service in either the federal government or the government of the many states, and

WHEREAS, Article one (1), Section four (4) of the Tennessee Constitution also prohibits religious tests or other oaths outside of an oath to uphold the Constitutions of the state of Tennessee and the United States, and

WHEREAS, Article two (2), Sections nine (9) and ten (10) of the Tennessee Constitution establish the qualifications for being a state Representative and Senator respectably, and none of those qualifications are based upon religious views or occupation, and

WHEREAS, Article nine (9), Section one (1) of the Tennessee Constitution prohibits a priest or clergy from holding office in the state of Tennessee, and

WHEREAS, Article nine (9), Section two (2) of the Tennessee Constitution prohibits atheists, as well as theists who do not believe in a view of the afterlife characterized by either reward or punishment from holding office in the state of Tennessee, and

WHEREAS, Article nine (9), Section three (3) of the Tennessee Constitution prohibits duelists from holding office in the state of Tennessee and dueling is an outdated and no longer practiced institution, therefore

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

Section 1. The Tennessee Intercollegiate State Legislature expresses its view that Article nine (9) of the Tennessee Constitution is in violation of both the United States Constitution and prior statements in the Tennessee Constitution and should be repealed.

Section 2. Following passage by a 2/3rds majority of both houses of the Tennessee State Legislature, a Referendum to repeal Article nine (9) of the Tennessee Constitution shall be placed upon the ballot in the 2014 General Election, in accordance with Article 11 of the Tennessee Constitution.

Status

Committee

General Welfare I

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Betsy Swann, Rhodes College

Kelly Johnson, Rhodes College

House

Jess Wilder, Rhodes College

Tyler Adams, Rhodes College

TISL Bill 71

Under current Tennessee Code, the minimum speed limit law reads simply, "No person shall drive a motor vehicle at such a slow speed as to impede the n

AN ACT TO AMEND TENNESSEE CODE ANNOTATED § 55-8-154 (A) AND (B)

WHEREAS, the current Tennessee Code is vague in reference to what constitutes an illegally slow speed on Tennessee highways, and

WHEREAS, current Tennessee code leaves what constitutes a minimum speed up to the discretion of individual police officers without an objective definition of a violation, and

WHEREAS current Tennessee code requires costly and time-consuming architectural studies to be carried out before the posting of a minimum speed limit in problem areas, therefore

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

Section 1. Tennessee Code Annotated §55-8-154 section (a) shall be amended to read: "No person shall drive a motor vehicle at a speed of more than ten miles per hour (10 mph) below the posted maximum speed limit unless such a slower speed is necessary for safe operation or in compliance with the law."

Section 2. Minimum speed restrictions shall not apply to sections of roads in which advisory speeds are posted because of curves or other natural hazards.

Section 3. Minimum speed restrictions shall not apply to machinery or other industrial and/or farming equipment that is not capable of the minimum speed.

Section 4. Minimum speed restrictions shall apply only to intrastate highways.

Section 5. Tennessee Code Annotated §55-8-154 section (b) shall be omitted.

Section 6. This act shall take effect on July 1, 2012.

Status

Committee

Transportation

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Betsy Swann, Rhodes College

Kelly Johnson, Rhodes College

House

Jess Wilder, Rhodes College

Tyler Adams, Rhodes College

Victoria Busse, Univ of Memphis

Justice Thompson, Rhodes College

TISL Bill 72

This bill is intended primarily as an accompanying piece of legislation to another bill I have introduced, "AN ACT to amend Tennessee Code Annotated §

AN ACT TO AMEND TENNESSEE CODE ANNOTATED § 55-8-153 IN ORDER TO REGULATE THE RATE AT WHICH SPEED LIMITS ARE CHANGED

WHEREAS, many places in the state of Tennessee have speed limit changes of more than ten miles per hour (10 mph) with no transition zone, and

WHEREAS, legislation has been introduced creating a minimum speed limit of ten miles per hour (10 mph) below the posted maximum speed limit, therefore

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

Section 1. Tennessee Code Annotated §55-8-153 section (a) shall be amended by adding a subsection (1) stating: "Any change in speed limit must not exceed a change of 10 miles per hour (10 mph) per two hundred (200) yards."

Section 2. Tennessee Code Annotated §55-8-153 section (a) shall be amended by adding a subsection (2) stating: "Special Speed Zones and Advisory Speed Zones shall be exempt from the limitation placed upon speed changes in subsection (1)."

Section 3. This act shall go into effect July 1, 2012

Status

Committee

Transportation

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Betsy Swann, Rhodes College

Kelly Johnson, Rhodes College

House

Jess Wilder, Rhodes College

Tyler Adams, Rhodes College

Victoria Busse, Univ of Memphis

Justice Thompson, Rhodes College

TISL Bill 73

This bill changes the way that the State of Tennessee chooses its presidential electors from a winner-take-all system, to a proportional system based

AN ACT TO CHANGE THE TENNESSEE PRESIDENTIAL ELECTORAL COLLEGE FROM A WINNER-TAKE-ALL SYSTEM TO A PROPORTIONAL SYSTEM

WHEREAS, changing to a proportional system would attract more Presidential campaigns to the state of Tennessee

WHEREAS, Tennessee citizens would effectively be represented more in the federal government because each Presidential elector would be encouraged to vote for the winner in his or her district

WHEREAS, voters tend to be more informed in battleground states in which Presidential candidates visit more during campaigns

WHEREAS, current states with a proportional electoral college have above average voter turnout rates

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

Section 1: Delete TCA 2-15-101 in its entirety and replace with TCA 2-15-101 (a): “ At the regular November election immediately preceding the time fixed by the law of the United States for the choice of president and vice president, as many electors of president and vice president as this state may be entitled to shall be elected. Each registered voter in this state may vote for two (2) statewide electors. The persons having the highest number of votes shall be declared to be duly chosen electors.”

Section 2: Amend TCA 2-15-101 by adding the following as subsection (b): Additionally, each registered voter will vote for one (1) additional elector specific to his or her Congressional district. The person in each congressional district having the highest number of votes shall be declared to be duly chosen electors.”

Section 3: This act shall take effect on 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

House

TISL Bill 74

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 39, CHAPTER 17, PART 3, RELATIVE TO THE OFFENSE OF HARASSMENT

WHEREAS, currently intentional physical, verbal, or communicated acts that frighten, intimidate, or cause emotional distress are considered harassment and can be prosecuted, regardless of whether or not the actor meant to cause harm to another person, and

WHEREAS, the current law in Tennessee includes even those acts not intended to frighten, intimidate, or cause emotional distress to the victim in its definition of harassment, and

WHEREAS, the common definition of harassment implies intentional goal to frighten, intimidate, or cause emotional distress to the victim, and

WHEREAS, only intentional acts that cause direct intimidation or fright in the victim should be punishable by law as acts of harassment, and therefore

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

Section 1. The phrase “or cause emotional distress; or” shall be omitted from Tennessee Code Annotated, § 39-17-308(a)(4)(A)(i), to read “With the malicious intent to frighten or intimidate”

Section 2. In addition, the phrase “a single individual intentionally targeted by the harasser” shall be added to Tennessee Code Annotated, Section 39-17-308(a)(4)(A)(i), in order to read “With the malicious intent to frighten or intimidate a single individual intentionally targeted by the harasser.”

Section 3. Tennessee Code Annotated, § 39-17-308(a)(4)(A)(ii) shall be omitted in its entirety.

Section 4. Tennessee Code Annotated, § 39-17-308(a)(4)(B) shall be omitted in its entirety.

Section 5. For the purposes of the Act, “harassment” shall be defined as the guidelines contained in § 39-17-308(a)(1)(2)(3), as well as § 39-17-308(a)(4) and § 39-17-308(a)(4)(i), which will read “(4) Communicates with another person or transmits or displays an image in a manner in which there is a reasonable expectation that the image will be viewed by the victim by any method described in subdivision (a)(1), without legitimate purpose: (A) (i) With the malicious intent to frighten or intimidate a single individual intentionally targeted by the harasser.”

Section 6. This act shall take effect immediately upon passage, 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

Kelly Johnson, Rhodes College

Betsy Swann, Rhodes College

House

Jess Wilder, Rhodes College

Justice Thompson, Rhodes College

TISL Bill 75

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 49, CHAPTER 6, PART 60, RELATIVE TO THE PROFICIENCY TESTING OF ELEMENTARY, MIDDLE, AND HIGH SCHOOL STU

WHEREAS, the state of Tennessee recognizes the inherent value of education and encourages

its support, and

WHEREAS, rethinking old and out-of-date practices that keep great teachers and

leaders from succeeding has been recognized as a top priority, and

WHEREAS, Tennessee has a low graduation rate, and a high school diploma is a critical foundation in today's world, and

WHEREAS, in addition, Tennessee requires students to pass 7 other end-of-course exams that count as a percentage of the student's final course grade, and

WHEREAS, all of these tests measure whether students are on track to meet Tennessee's college and career-ready graduation requirements, and

WHEREAS, Tennessee's Assessment Program additionally requires students to take the ACT (a

nationally-standardized college-readiness test, in the 11th grade and to meet the minimum

scores set by the benchmarks, and

WHEREAS, graduation exams hinder the realization of increased student achievement

and performance, and

WHEREAS, defining the reasons for the state's low graduation rate and focusing on

Gateway-tested competencies at the elementary and middle school level, and/or exit exam

alternatives at the high school level, would lead to more effective solutions to student

achievement, therefore

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

Section 1. Tennessee Code Annotated, § 49-6-6001 section (a) shall be amended by adding a subsection (2) which shall read: "The requirements set forth by the State Board of Education may not include mandated exams or end-of-course tests that, in addition to taking, require a student to obtain a minimum score on the exam or end-of-course test in order to be eligible for graduation."

Section 2. Tennessee Code Annotated, § 49-6-6001 section (a) shall be amended by adding a subsection (3) which shall read: "All public high school students in the state of Tennessee are required to take the General Equivalency Development (GED) test their 10th grade year in order to be eligible for graduation.

Section 3. Tennessee Code Annotated, § 49-6-6001 section (a) shall be amended by adding a subsection (4) which shall read: "All public high school students in the state of Tennessee are required to take the American College Testing (ACT) test their 11th grade year in order to be eligible for graduation.

Section 4. Tennessee Code Annotated § 49-6-6001 section (g) shall be omitted in its entirety.

Section 5. Tennessee Code Annotated § 49-6-6001 section (h) shall be amended to read: "Students who, in lieu of graduating from high school, obtain a general equivalency development credential (GED) or takes the American College Testing

Status

Committee
Education II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Kelly Johnson, Rhodes College

Betsy Swann, Rhodes College

House

Jess Wilder, Rhodes College

Justice Thompson, Rhodes College

TISL Bill 75

(ACT) test and obtains a score that meets the specified minimum benchmark determined by the Tennessee State Board of Education, shall be counted as a high school graduate of the high school that they attended or were eligible to attend for the purpose of calculating graduation rates; provided, however, that such students shall not be counted as graduates for purposes pursuant to which such inclusion in a graduation rate calculation is prohibited by federal law.”

Section 6. This act shall go into effect July 1, 2012.

TISL Bill 76

A RESOLUTION TO ENCOURAGE THE STUDY, ANALYSIS, AND MODIFICATION OF GRADUATION-CONTINGENT HIGH SCHOOL END-OF-COURSE EXAMS

WHEREAS, the state of Tennessee recognizes the inherent value of education and encourages its support, and

WHEREAS, rethinking old and out-of-date practices that keep great teachers and leaders from succeeding has also been recognized as a top priority, and

WHEREAS, graduation exams hinder the realization of increased student achievement

and performance, and

WHEREAS, regardless of the type of graduation exam implemented, Tennessee has historically had a consistently low graduation rate, indicating a deeper problem with student achievement, and

WHEREAS, a high school diploma can lead to higher education attainment with higher

wages and less dependence on social programs for individuals and improved macro-economic and social conditions for the state of Tennessee as a whole, and

WHEREAS, even though federal law does not mandate graduation-contingent exams, Tennessee students are still required by law to pass 3 end-of-course exams, and

WHEREAS, the overall goal of these tests is to measure what students know and to identify where more instruction is needed, and

WHEREAS, these goals can be met without making the passage of three separate exams

contingent for graduation, and

WHEREAS, it has also been shown by numerous studies that this type of testing fails to effectively measure college or career readiness, and

WHEREAS, defining the reasons for the state's low graduation rate and focusing on

Gateway-tested competencies at the elementary and middle school level, and/or exit exam

alternatives at the high school level, would lead to more effective solutions to student

achievement, therefore

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

Section 1. The General Assembly recommends that the Tennessee Department of Education commission and oversee a long-term and in-depth study of Tennessee's Graduation Exam Policy in order to determine the reasons for Tennessee's low level of achievement throughout elementary, middle, and high school regardless of the pass rate of exit exams or end-of-course tests.

a. The General Assembly further recommends that these findings be regularly posted on a website available to the public to further encourage discussion and debate of the best testing and accountability practices for Tennessee's public high school students.

b. The General Assembly additionally recommends that these findings be presented to the General Assembly to allow for its delegates to be briefed on the latest relevant statistics and data so that they are better able to create appropriate legislation and policies that work to effectively increase the rate of achievement for Tennessee's public school students.

Status

Committee

Education II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Kelly Johnson, Rhodes College

Betsy Swann, Rhodes College

House

Jess Wilder, Rhodes College

Justice Thompson, Rhodes College

TISL Bill 76

Section 2. The General Assembly suggests that until this study is commissioned and relevant and useful data is obtained, that the Tennessee State Board of Education defer the graduation component of the Gateway exams currently in place, and require students to take but not pass these exams to qualify for a regular diploma.

a. Tennessee would continue to administer the exams to calculate school and district annual yearly progress, but would temporarily remove passage of the Gateways as a requirement for graduation.

Section 3. If the State Board of Education does not agree with the suggestions outlined in Section 2, the General Assembly recommends allowing students to substitute weak performance on one exam(s) with strong performance on other exams.

a. This would require students to obtain an average score computed from the student's score on all three Gateway exams currently required for graduation in the state of Tennessee.

b. The General Assembly would like bring to the Tennessee State Board of Education's and all other relevant parties' attention that this recommendation is based on precedent in other states.

i. In June 2004, the Maryland State Board of Education approved a change to require students to achieve a minimum consolidated score across the state's four end-of-course exams, allowing students with poor performance on one exam to compensate with strong performance on the remaining exams.

c. This policy of compensatory scoring in regards to the graduation-contingent nature of the Gateway tests allows some students who excel in some subjects but struggle with others to still obtain a high school diploma.

TISL Bill 77

AN ACT AMENDING TCA 37-10-401 FOR THE PROTECTION AGAINST HUMAN PAPILOMAVIRUS.

WHEREAS, Human Papillomavirus (HPV) is the most common sexually transmitted infection. At least 70% of sexually active persons will contract the infection.

WHEREAS, the disease is most common among persons in their late teens and early twenties. The CDC estimates 6.2 million new cases of HPV are contracted each year.

WHEREAS, there are over 100 different strands of HPV, 15 are linked to causing cervical cancer, one of the most preventable forms of cancer

WHEREAS, 70% of cervical cancer comes from HPV Strain 16 and 18, the vaccine prevents 100% of the contraction of cervical cancer from these strains.

WHEREAS, condoms are not fully effective in the prevention of spreading the infection, the only complete protection is to abstain for life.

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

Section 1. Amend TCA 37-10-401(a) by adding the following subsection: “ (9) Human Papillomavirus (HPV)”

Section 2. Amend TCA 37-10-401 by adding the following as subsection (c) and renumbering all following subsection appropriately: “Subject to availability of funding such purpose, the department of health is authorized to provide free Human Papillomavirus (HPV) vaccine, through the first thirteen (13) years of life, for Tennessee children born after January 1, 1999. If an administration fee is charged by a health provider giving this vaccination, such fee may not exceed the administration fee established by the health care financing administration under the Vaccines for Children Program established in the Omnibus Budget Reconciliation Act of 1993. No immunization may be withheld due to a family’s inability to pay the fee.

Section 3. Amend TCA 37-10-401 by adding the following subsection (f): “The failure to receive these vaccinations will result in the automatic removal from public schooling until the vaccinations are received, unless a waiver is obtained pursuant to TCA 37-10-402.”

Section 4. Amend TCA 37-10-402 to read: “In the absence of an epidemic or threat thereof, this section does not apply to any child whose parent or guardian files with the proper authorities a signed, written statement that such immunization and preventative measures conflict with the religious tenets and practices or personal conscience of the parent or guardian affirmed under penalties of perjury.

Section 5. This act shall 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

House

Spencer Vereen, Vanderbilt Univ

Britt Johnson, Vanderbilt Univ

TISL Bill 78

A RESOLUTION TO URGE GOVERNOR HASLAM TO RESCIND RECENT POLICIES RELATIVE TO LEGISLATIVE PLAZA.

WHEREAS, the right of the people to exchange ideas and to protest government actions they find unwise is enshrined in the both the United States and Tennessee Constitutions, and

WHEREAS, defending such essential American rights should be the very first job of our state government, and

WHEREAS, the Haslam administration has recently imposed draconian restrictions on Legislative Plaza, such as charging citizens for the right to use their own Plaza, limiting citizens' access to that public space to hours when most citizens with day jobs cannot exercise their free speech rights, and imposing a million dollar insurance requirement that many citizens doubtless cannot satisfy, and

WHEREAS, Legislative Plaza is a public place that is owned by the people, paid for by the people, and used by the people for years as a place to exercise their First Amendment rights, including during the civil rights movement, therefore

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

Section 1. The Tennessee Intercollegiate State Legislature hereby condemns Governor Haslam's recent policy changes in regard to Legislative Plaza. The Legislature hereby calls on Governor Haslam to immediately rescind all new policies designed to make peaceful demonstrations more difficult and to thereby return Legislative Plaza to the control of the people of Tennessee.

Section 2. The Tennessee Intercollegiate State Legislature hereby urges Governor Haslam to keep in mind the importance of free speech in our democratic process as he makes future decisions in regard to the citizens of the State of Tennessee.

Status

Committee

State & Local Government II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Dan Buchanan, Univ of Memphis

House

Jonathan Bennett, Univ of Memphis

TISL Bill 79

AN ACT TO AMEND TCA 39-17-1309 TO ALLOW TENNESSEE'S PRIVATE INSTITUTIONS OF HIGHER EDUCATION CHOICE IN PERMITTING THE CARRYING OF WEAPONS BY CAMPUS SECURITY OFFICERS

WHEREAS, private institutions of higher education in the state of Tennessee have a significant interest in maintaining safety on their campuses; and

WHEREAS, private college and university administrators and boards of trustees are aware of the specific policies, including the employment of campus security officers, necessary to best protect their respective institution's property, students, and employees, while the state government does not have knowledge of or the resources to enact these policies; and

WHEREAS, campus security officers are potential first responders to reports of crime or other safety threats on private college and university campuses; and

WHEREAS, the current law prevents trained firearms users who are already entrusted with the security of private college and university campuses from carrying firearms while discharging their duties;

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

Section I. The following is added as TCA § 39-17-1309(e)(8):

Any campus security officer, as defined in § 49-7-118(g), employed by any private institution of higher education and authorized by the administration or board of trustees of that institution to carry a weapon who is licensed to carry a firearm pursuant to § 39-17-1351 and who is discharging the officer's duties.

Section II. This act shall take effect 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

TISL Bill 80

AN ACT TO AMEND TENNESSEE CODE ANNOTATED TITLE 36, CHAPTER 3 AND TO AMEND THE CONSTITUTION OF THE STATE OF TENNESSEE, RELATIVE TO THE STATUS OF MARRIAGE.

WHEREAS, there exists a constant conflict between the nature of marriage as well a conflict between separation of church and state across this entire state and nation, and

WHEREAS, currently the Tennessee Code Annotated Title 36, Chapter 3, Part 113, Subsection B, states that marriage is “the legal union in matrimony of only one man and only one woman,” and

WHEREAS, there is no evidence even within the definition of the word “marriage,” as according to all definitions provided by the Oxford English Dictionary, that a government can control who is to be married or that there is a historical emphasis put within the definition of the term, and furthermore, sanctifies through religion in many definitions, and

WHEREAS, the purpose of the state recognition of marriage revolves primarily around financial and population accountability reasons, and

WHEREAS, the construction of the term “civil,” present within “civil union,” is such that is is “relating to, or designating a community, state, or body politic as a whole,” according to the Oxford English Dictionary, and presents a more definitive term for population and financial accountability of those joined in unity, and

WHEREAS, within the Constitution of the United States of America, there exists no direct evidence preventing any two individuals from marrying, given that Amendment IX states, “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” as well as in Amendment X “The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people,” and

WHEREAS, the state of Tennessee has historically been a leader in passing legislation that protects its citizens within the Constitution of the State of Tennessee from infringements upon unalienable rights, and that among those stated in Article I, Section 1, “That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness” as well as in Article I, Section 3, “that no human authority can, in any case whatever, control or interfere with the rights of conscience,” and

WHEREAS, Tennessee Amendment 1 of 2006 directly contradicts both sections as well as the Constitution of the United States of America by stating, “The historical institution and legal contract solemnizing the relationship of one man and one woman shall be the only legally recognized marital contract in this state. Any policy or law or judicial interpretation, purporting to define marriage as anything other than the historical institution and legal contract between one man and one woman, is contrary to the public policy of this state and shall be void and unenforceable in Tennessee. If another state or foreign jurisdiction issues a license for persons to marry and if such marriage is prohibited in this state by the provisions of this section, then the marriage shall be void and unenforceable in this state,” and

WHEREAS, many Americans feel that the state is failing to reserve this right to union to certain individuals because of a bias predicated upon religious morals and motivations rather than “public policy”, and

WHEREAS, James Madison, framer of the U.S. Constitution, once said, “A popular government without popular information or the means of acquiring it, is

Status

Committee

Judiciary

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Dan Buchanan, Univ of Memphis

Jess Wilder, Rhodes College

House

Nicholas Mastron, Univ of Memphis

Jonathan Bennett, Univ of Memphis

Peytyn Markham, Univ of Memphis

but a prologue to a farce, or a tragedy, or perhaps both,”

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

SECTION 1. Tennessee Amendment 1 of 2006, Article XI, Section 18, is hereby deleted, as its intent is to enable the government to deny a civil right that does not harm any one individual but strips individuals of rights that are protected by not only the Constitution of the State of Tennessee but also the Constitution of the United States of America.

SECTION 2. Tennessee Code Annotated Title 36 and all further and prior instances of the term “marriage,” “marriages,” and “marital contract” as they are currently recognized by the state of Tennessee within the entirety of the Tennessee Code Annotated is hereby amended by replacing those instances with “civil union,” “civil unions,” and “civil union contract.”

SECTION 3. Tennessee Code Annotated Title 36, Chapter 3 is hereby deleted, and inserted with the following:

“(a) Tennessee’s civil union licensing laws reinforce, carry forward, and make explicit long-standing public policy of this state to recognize the family as essential to social and economic order and the common good and as the fundamental building block of our society. To that end, it is further the public policy of this state that the legal contract recognizing the relationship of two individuals shall be the only legally recognized civil union contract in this state in order to provide the unique and exclusive rights and privileges to civil union.

(b) The legal union contracted of two individuals shall be the only recognized civil union in this state.

(c) If another state or foreign jurisdiction issues a license for persons to marry or to enter into a civil union, other than what is legally recognized in this state, any such contract or marriage shall be void and unenforceable in this state.”

SECTION 4. All instances of revenue collected by the state of Tennessee on the basis of issuance of “marriage” licenses prior to this bill’s passage shall not be invalidated; however, all instances of collection after the passage of this bill will be held as invalid if such licenses are not labeled as “civil union” licenses.

SECTION 5. All state rights and privileges traditionally granted to “marriages” shall now be extended to all “civil unions” in the state of Tennessee.

SECTION 6. The terminology of “marriage” and any derivation of this word shall only exist in the religious sector, as couples who wish to be “married” may do so with the consent of the religious institution personally chosen. There shall be no federal, state, or local governance in regards to the practice of “marriage” from this time and forevermore.

SECTION 7. This amendment to the Constitution of the State of Tennessee shall be voted on by the voters of this great state during the 2012 elections.

TISL Bill 81

AN ACT TO AMEND TENNESSEE CODE ANNOTATED 39-17-418 TO REDUCE THE PENALTIES ASSOCIATED WITH SIMPLE POSSESSION OF MARIJUANA.

WHEREAS, the current strategy to reduce the consumption of marijuana has failed, and

WHEREAS, the arrest of individuals engaged in simple possession consumes law enforcement efforts, and

WHEREAS, law enforcement could achieve better results with a focus only on traffickers,

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

Section 1. Tennessee Code Annotated 39-17-418 is hereby amended by modifying subsection (c) to read:

(c) Except as provided in subsections (d), (e) and (g), a violation of this section is a Class A misdemeanor.

Section 2. Tennessee Code Annotated 39-17-418 is hereby further amended by inserting new language to be designated subsection (g):

(g) An individual found to possess marijuana not in excess of one-half (1/2) ounce shall

(1) For a first offense, be fined one hundred fifty dollars.

(2) For subsequent offenses, be fined not less than two hundred dollars or more than four hundred dollars.

(3) The law enforcement officer issuing a complaint for a violation shall seize the substance and cause such substance to be destroyed as contraband in accordance with law.

Section 3: Tennessee Code Annotated 39-17-418 is hereby further amended by modifying subsection (e) to read:

(e) A violation under this section is a Class E felony where the person has two (2) or more prior convictions under this section except as provided in subsection (g).

Section 4: This act shall take effect on July 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

Jarod Saucedo, Univ of Tenn at Martin

House

Michael Boyd, Univ of Tenn at Martin

TISL Bill 82

AN ACT TO AMEND TCA 67-6-228 TO ELIMINATE THE TAX ON FOOD PRODUCTS.

WHEREAS, the application of sales tax to the sale of food items is a restrictive burden, and

WHEREAS, the sales tax is regressive and harms those with less income than others, and

WHEREAS, it is immoral to place taxes on goods necessary for survival, therefore

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

Section 1. Tennessee Code Annotate Section 67-6-228 is amended by deleting subsection (a).

Section 2. This act shall take effect immediately upon passage, 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

Jarod Saucedo, Univ of Tenn at Martin

House

Michael Boyd, Univ of Tenn at Martin

TISL Bill 83

AN ACT TO AMEND TCA CODE 67-2-102 TO ESTABLISH THE COLLECTION OF A NEW INCOME TAX.

WHEREAS, taxation already exists on specific sources of incomes, and
WHEREAS, creating a new income tax would offset any revenue loss, therefore

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

Intercollegiate State Legislature:

Section 1. Amend Tennessee Code Annotated, Section 67-2-102, by designating the current language as subsection "(a)" and adding the following new language, to be designated subsection "(b)":

(b) An income tax in the amount of three percent (3%) per annum shall be levied and collected on all net incomes, excepting those designated by subsection (a), of each person, partnership, association, trust and corporation in the state of Tennessee, except as otherwise provided in this chapter:

- (1) Incomes earned outside of the state shall be exempt.
- (2) The first \$12,500 of income shall be considered exempt from taxation.

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

Status

Committee

Commerce

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sarah Appleton, Univ of Tenn at Martin

House

Michael Boyd, Univ of Tenn at Martin

TISL Bill 84

AN ACT TO AMEND TCA §49-1-1101 TO PROHIBIT THE COMMISSIONER OF EDUCATION FROM GIVING PRIOR NOTICE OF INSPECTION TO ANY CHILD CARE PROGRAM.

WHEREAS, it is the commissioner of education's duty to be responsible for inspecting and approving child care programs subject to the state board, and

WHEREAS, the commissioner of education is permitted to give notice to the child care program upon arrival of inspection, and

WHEREAS, this gives the child care programs time to abide by the laws and regulations set forth that they are to follow,

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

Intercollegiate State Legislature:

Section 1. The commissioner of education responsible for inspecting and approving child care programs, subject to the state board, shall give no prior notice upon the arrival of the inspection.

Section 2. This act shall be placed as section (1) under (a) of Tennessee Code Annotated §49-1-1101.

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

Status

Committee

Education I

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Jarod Saucedo, Univ of Tenn at Martin

House

Jessica Watts, Univ of Tenn at Martin

TISL Bill 85

A RESOLUTION TO RESTRUCTURE RESTROOMS AND RESTROOM SUPPLIES OF TENNESSEE'S FINANCED INSTITUTIONS.

WHEREAS, Tennessee finances several public institutions, and
 WHEREAS, Tennessee has restrooms incorporated in each of these institutions, and
 WHEREAS, the designs of these facilities are often ill-conceived when it comes to design layouts, and
 WHEREAS, women often have too few restroom stalls, and
 WHEREAS, there are significant risks involved with bathroom stall doors in that patrons can injure themselves when entering and exiting bathroom stalls, and
 WHEREAS, restroom signs can be inadequately placed, and
 WHEREAS, restroom hand dryers do not dry patrons' hands, and
 WHEREAS, the restroom supplies such as toilet paper and paper towels are of poor material,

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

Section 1. All restrooms within public institutions financed by the Tennessee government should be completely overhauled.

- (a) Restroom stall doors shall open outward rather than inward in order to give room for restroom patrons.
- (b) Restroom signs for men and women should be placed adequately in order to avoid members of the opposite sex from entering the wrong restroom.
- (c) Women's restrooms will have twice as many restroom stalls as currently provided.
- (d) Hand dryers must dry must be replaced with paper towels

Section 2. All public institutions' restroom materials must pass a specified quality for patrons.

- (a) Toilet paper should pass a minimum softness and strength level that will be evaluated by the Toilet Paper Quality Control Committee (TPQCC). Toilet paper must pass a strength and softness test.
 - (i) The strength test will measure the constitution of the toilet paper product.
 - (ii) The softness test will measure the softness of the toilet paper product.
 - (iii) Toilet paper should be strong enough for a restroom patron to tear off at least five squares at a time.
 - (iv) Toilet paper should have a softness level that will not be too abrasive against patrons' skin.
- (b) Paper towels in public restrooms should possess a softness level that will be evaluated by the Paper Towel Quality Control Committee (PTQCC). Paper towels must pass a softness and strength test.
 - (i) The strength test will measure the constitution of the paper towel product.
 - (ii) The softness test will measure the softness of the paper towel product.
 - (iii) Paper towels should have a softness level that will not be too abrasive against patrons' hands.

Section 3. TPQCC and PTQCC committees shall be appointed by the governor.

Status

Committee
General Welfare I
 Pending on Calendar
Senate
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House
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Sponsors

Boldface = Prime Sponsor
Senate
Jarod Saucedo, Univ of Tenn at Martin
House
Grant Monroe, Univ of Tenn at Martin

TISL Bill 86

AN ACT TO AMEND ARTICLE VII OF THE TISL CONSTITUTION TO LIMIT THE AMOUNT OF LEGISLATION AN INDIVIDUAL DELEGATE MAY SUBMIT FOR CONSIDERATION.

WHEREAS, every TISL delegate should have the opportunity to present legislation to the General Assembly, and

WHEREAS, with the increasing number of participants, this will continue to be increasingly harder to accommodate,

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

Section 1. Add a Section 8 to the TISL Constitution under Article VII to say, "Each delegate attending the General Assembly may submit no more than three bills for consideration."

Section 2. This act shall take effect upon passage.

Status

Committee

Executive Council

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Jarod Saucedo, Univ of Tenn at Martin

House

Jamie Arnett, Univ of Tenn at Martin

TISL Bill 87

A RESOLUTION TO COMMEND DEAN ERNEST R. MOSER, MR. DAVID BELOTE, AND DR. CHRIS BAXTER FOR THEIR UNRELENTING EFFORTS IN SECURING THE UT MARTIN DELEGATION AN UNPRECEDENTED OPPORTUNITY TO LEARN ABOUT STATE GOVERNMENT FIRST HAND THROUGH THE TENNESSEE INTERCOLLEGIATE STATE LEGISLATURE GENERAL ASSEMBLY.

WHEREAS, the Tennessee Intercollegiate State Legislature was developed in 1966 and has provided thousands of students over three generations with an education about Tennessee state government and provided a channel to express their opinions on state issues, and

WHEREAS, the Tennessee Intercollegiate State Legislature has provided the students of UT Martin with a unique opportunity to learn about Tennessee state government, and

WHEREAS, the UT Martin delegation's participation would not be possible without the generous support of devoted faculty members, like Dean Ernest R. Moser, Mr. David Belote, and Dr. Chris Baxter, and

WHEREAS, Dr. Ernest R. Moser, Dean of the College of Business and Global Affairs and Professor of Economics at the University of Tennessee at Martin, has provided generous financial support to the UT Martin delegation, without which, they would not be able to attend this General Assembly, and

WHEREAS, Mr. David Belote, Assistant Vice Chancellor for Student Affairs and Director of Student Life at the University of Tennessee at Martin, has also provided generous financial support to the UT Martin delegation, for which their gratitude can never be fully expressed, and

WHEREAS, Dr. Chris Baxter, Associate Professor of Political Science at the University of Tennessee at Martin, serves as the adviser for the UT Martin delegation, and

WHEREAS, Dr. Chris Baxter has never failed to assist the delegation in any way possible and has selflessly sacrificed his time and energy to ensure that the UT Martin delegation was well prepared for the General Assembly experience, and

WHEREAS, Dr. Chris Baxter is the epitome of what a great educator should strive to be and has not only been a great professor to all of his students, but a mentor and friend, and

WHEREAS, the University of Tennessee at Martin has produced many great alumni, including current Tennessee State Representatives David Shepard, Art Swann, Eric Watson, and Andy Holt, and State Senators Ken Yager, Mike Faulk, Lowe Finney, Jim Tracy, and Roy Herron, who also served as a TISL Governor during the 10th General Assembly, and

WHEREAS, with the support of great leaders such as Dean Moser, Mr. Belote, and Dr. Baxter, UT Martin is sure to achieve success for many years to come, and

WHEREAS, the UT Martin delegation is one of the most fortunate in Tennessee to have such wonderful leaders that are willing to support our endeavors,

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

that we hereby commend Dean Ernest R. Moser, Mr. David Belote, and Dr. Chris Baxter for their continued support of the UT Martin TISL delegation, which makes their experience at the TISL General Assembly possible.

BE IT FURTHER RESOLVED, that three copies of this Resolution be prepared and presented to the UT Martin TISL delegation, with this final clause omitted

Status

Committee

Executive Council

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sarah Appleton, Univ of Tenn at Martin

House

Grant Monroe, Univ of Tenn at Martin

from such a copy.

TISL Bill 88

A RESOLUTION TO ACKNOWLEDGE THAT THE TENNESSEE INTERCOLLEGIATE STATE LEGISLATURE IS A MOCK LEGISLATURE.

WHEREAS, the Tennessee Intercollegiate State Legislature was developed in 1966 and has provided thousands of students over three generations with an education about Tennessee state government and with a channel to express their opinions on state issues, and

WHEREAS, the Tennessee Intercollegiate State Legislature was also developed to be a mock legislature and give students a firsthand experience of the lawmaking process, and

WHEREAS, the Tennessee Intercollegiate State Legislature should also be an enjoyable and fun experience for all participants, and

WHEREAS, all legislation that is passed through this assembly will not become law upon passage; rather, it will be presented to actual legislators for their consideration, and

WHEREAS, delegates to the Tennessee Intercollegiate State Legislature are very passionate about the issues they address in this Assembly, and

WHEREAS, after one day of participating in the Tennessee Intercollegiate State Legislature, it becomes evident that some participants tend to take things far too personally, and

WHEREAS, although it is often fun to scold other participants for perceived stupidity, it is not always necessary, and

WHEREAS, most participants, including the sponsors of this Resolution, are guilty of taking things too seriously when debating particular issues, and

WHEREAS, there is no need for participants in this legislature to become angry at other participants for sponsoring certain legislation, and

WHEREAS, all ideas, viewpoints, and legislation should be debated in a civil manner, reflecting the respect that this organization deserves and promotes, and

WHEREAS, let's all lighten up a little bit; now, therefore,

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

that participants should learn about Tennessee state government, have fun, and make TISL a positive experience for all participants.

BE IT FURTHER RESOLVED, that an appropriate copy of this Resolution be presented to certain participants, as determined by the Speakers of each House, that they deem as needing to "lighten up."

Status

Committee

Executive Council

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

**Sarah Appleton, Univ of Tenn at
Martin**

House

Grant Monroe, Univ of Tenn at Martin

TISL Bill 89

The language and ideas of this amendment draw heavily on the "Final Report of the Governor's Advisory Committee on the Transfer of Chief Executive Pow

A RESOLUTION TO PROPOSE AN AMENDMENT TO ARTICLE III, SECTION 12 OF THE CONSTITUTION OF THE STATE OF TENNESSEE, TO PROVIDE FOR THE EXERCISE OF THE POWERS AND DUTIES OF THE GOVERNOR DURING A TEMPORARY DISABILITY.

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

that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed:

SECTION 1. That the Tennessee Constitution, Article III, Section 12 be amended by designating the current language as subsection (a) and by adding the following language as subsections (b), (c), and (d) respectively:

(b) Whenever the Governor transmits to the Secretary of State, the Speaker of the Senate and the Speaker of the House a written declaration that the Governor is unable to perform the powers and duties of the office, the powers and duties of the office of Governor shall be exercised by the Deputy Governor, or, if that office is unoccupied, a member of the Governor's cabinet as designated by the Governor in writing. The powers and duties of the office shall return to the Governor when the Governor transmits to the same officials a written declaration that the Governor is able to perform the powers and duties of the office.

(c) Whenever the Attorney General and Reporter, after consultation with the Secretary of State, Comptroller of the Treasury and Treasurer, is of the opinion that the Governor is unable to perform the powers and duties of the office, the Attorney General shall file a petition with the Tennessee Supreme Court seeking a declaration that the Governor is unable to perform the powers and duties of the office. The Supreme Court shall have original jurisdiction to hear the petition, and, upon a decision by the Court that the Governor is unable to perform the powers and duties of the office, those powers and duties shall be exercised by the Deputy Governor, or, if that office is unoccupied, a member of the Governor's cabinet as designated by the Secretary of State, Comptroller of the Treasury and Treasurer. The Governor may at any time petition the Supreme Court to determine that the inability to perform the powers and duties of the office of Governor no longer exists. Upon such a determination by the Supreme Court, the powers and duties of the office will return to the Governor.

If thirty (30) days after the Supreme Court determination of the Governor's inability to perform, the Governor has not petitioned the Supreme Court for reinstatement, the Secretary of State, Comptroller of the Treasury and Treasurer will determine whether the Governor's inability to perform the duties of the office will remain for the rest of the unexpired term. If they determine the Governor's inability to be thus permanent, the powers and duties of the office shall devolve to the Speaker of the Senate, as they would with the removal, death, or resignation of the Governor. If the Secretary of State, Comptroller of the Treasury and Treasurer determine that the Governor will be able to perform the duties of the office before the end of the unexpired term, the interim governor shall continue to perform the duties of the office, unless the legislature in joint session appoints one of the Constitutional officers or one of the members of the governors cabinet to be interim governor by a two-thirds vote of the members to which each house is entitled.

(d) During the pendency of a disability, the Governor shall retain the salary and

Status

Committee

State & Local Government II

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Stephen Siao, Vanderbilt Univ

House

Britt Johnson, Vanderbilt Univ

TISL Bill 89

benefits attached to the office and the person performing the powers and duties of the office shall receive the same salary and benefits as the Governor.

SECTION 2. BE IT FURTHER RESOLVED, that the foregoing be referred to the One Hundred Eighth General Assembly and that this resolution proposing such amendment be published in accordance with Article XI, Section 3 of the Constitution of the State of Tennessee.

SECTION 3. BE IT FURTHER RESOLVED, that the clerk of the Senate is directed to deliver a copy of this resolution to the Secretary of State.

TISL Bill 90

AN ACT TO AMEND THE T.C.A. 49-7-105 TO ENFORCE VISIBLE REGISTERED IDENTIFICATION ON INDIVIDUALS WHO ENTER THE STRUCTURE OF A HIGHER EDUCATION INSTITUTION AND TO PROVIDE PUNISHMENT THEREFORE

WHEREAS, an unregistered individual who enters the structure of a higher education institution poses great threat to the safety, security, and peace of the institution campus at-large.

WHEREAS, T.C.A. 49-7-105 provides...

(a) A municipal corporation in which a state college or university is located is authorized to prescribe and enforce traffic ordinances on the campus of the institution.

(b) A municipal corporation shall not begin to prescribe and enforce traffic ordinances on the campus of the state institution within its borders until thirty (30) days after the date on which the state university and community college system, for a state college or university under its control, or the board of trustees of the University of Tennessee, for the University of Tennessee, requests the governing body of the municipal corporation to begin to prescribe and enforce traffic ordinances on the campus of the state institution.

(c) The municipal corporation shall cease to prescribe and enforce traffic ordinances on the campus of the state institution within thirty (30) days after the date upon which the state university and community college system, for the state colleges and universities under its control, or the board of trustees of the University of Tennessee, for the University of Tennessee, requests the governing body of the municipal corporation to cease prescribing and enforcing traffic ordinances on the campus of the state institution.

(d) Nothing in this section shall be construed as preventing a municipal corporation from enforcing traffic ordinances on its streets within the campus.

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

Section 1. Any individual who knowingly fails to register for permission to be in the structure of a higher education institute shall be guilty of the crime of "Criminal Trespassing".

Section 2. In the event that an individual is observed without proper identification, campus security may:

- a. For the first offense, give a verbal warning to such individual to register for permission.
- b. For the second and subsequent offenses, contact the proper authorities and detain/follow such individual until authorities arrive.
- c. In the alternative,
 - a. Violating individuals may pay a fine of \$25.00;
 - b. or perform 15 hours of community service on the institutions' campus.

Section 3. Upon conviction in a Court of law, the judge shall sentence the violator to one of the following punishments as the Court shall deem appropriate.

- a. For the first and subsequent offense(s), a Class C misdemeanor.

Section 4. This act shall take effect August 24, 2012.

Status

Committee

Higher Education

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Sam Killebrew, Nashville State CC

House

Brian Reynolds, Nashville State CC

Carling Lobello, Nashville State CC

TISL Bill 91

AN ACT TO AMEND TENNESSEE CODE ANNOTATED, TITLE 49, CHAPTER 4, PART 9, CREATES THE ASPIRE WORK STUDY PROGRAM TO PROVIDE ADDITIONAL POSTSECONDARY FINANCIAL ASSISTANCE FROM NET LOTTERY PROCEEDS TO STUDENTS RECEIVING BOTH THE TENNESSEE HOPE SCHOLARSHIP AND THE ASPIRE AWARD.

WHEREAS, present law provides for several lottery-funded scholarships and awards for postsecondary education, and

WHEREAS, this bill creates an additional lottery-funded program, the ASPIRE work-study program, and

WHEREAS, the ASPIRE work-study program would provide work-study opportunities for a recipient to work in elementary and secondary public schools in Tennessee and in after-school programs, and

WHEREAS, the recipient would be employed to tutor, mentor, or otherwise assist elementary and secondary students in improving academic performance of the school and a useful resource,

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by

adding the following language as a new, appropriately designated section:
§ 49-4-9__.

(a) TSAC shall establish and implement an ASPIRE work-study program to provide additional financial assistance from net lottery proceeds to Tennessee citizens who are recipients of Tennessee HOPE scholarships and who also receive ASPIRE awards pursuant to § 49-4-915.

(b) The ASPIRE work-study program shall provide work opportunities for ASPIRE students in public schools in this state and in after school programs offered under title 49, chapter 6, part 7. ASPIRE students shall be employed to tutor, mentor or otherwise assist elementary and secondary students in improving academic performance in order that such students may eventually qualify for Tennessee HOPE scholarships.

(c) The board of education of any LEA may, by resolution, determine that the LEA will participate in the ASPIRE work-study program. If an LEA determines that it will

participate in the ASPIRE work-study program, it shall identify for approval by TSAC

tutoring, mentoring and other work opportunities for ASPIRE students that will assist

public school students in improving academic performance. Once an LEA has determined it will participate in the ASPIRE work-study program, it may, by resolution,

withdraw participation. Such withdrawal shall be effective in the school year next

succeeding the date of the resolution.

(d) An organization operating an after school program pursuant to §§ 49-6-701

—
49-6-704 may determine, with the approval of the department of education, that the

organization's after school program will participate in the ASPIRE work-study program.

Status

Committee

Higher Education

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Byron Glenn, Tenn State Univ

House

Mohamed Shukri, Tenn State Univ

Talessya Johnson, Tenn State Univ

TISL Bill 91

If an organization operating such after school program determines that it will participate

in the ASPIRE work-study program, it shall identify for approval by TSAC tutoring,

mentoring and other work opportunities for ASPIRE students that will assist students in

the after school program in improving academic performance. Once an organization

operating such after school program has determined it will participate in the ASPIRE

work-study program, it may withdraw participation. Such withdrawal shall be effective for

the school year next succeeding the date of its decision to withdraw.

(e) The department of education may permit ASPIRE students to participate in work-study programs in pilot after school programs offered pursuant to § 49-6-705.

(f) The ASPIRE work-study program shall pay no less than ten dollars (\$10.00) per hour to students employed in the program. Students in the program shall work no

more than ten (10) hours per week and shall not work during examination periods at the

postsecondary institutions at which they are attending. No student shall be eligible to

earn more than one thousand dollars (\$1,000) per semester in the ASPIRE work-study

program. Such amounts are subject to appropriation by the general assembly and any

provision of law relating to a shortfall in funds available for postsecondary financial

assistance from net proceeds of the state lottery.

(g) TSAC shall notify ASPIRE recipients annually of the availability of the ASPIRE work-study program and the criteria for eligibility.

(h) To be eligible for the ASPIRE work-study program, a student shall:

(1) Be eligible for an ASPIRE award under § 49-4-915;

(2) Meet any academic qualification set by TSAC for employment by the ASPIRE work-study program. Such qualification may be higher than the cumulative grade point required for continuation of the Tennessee HOPE scholarship under § 49-4-911, if TSAC finds such higher standard appropriate

to ensure that such students are capable of working in the ASPIRE work-study program and at the same time maintaining their Tennessee HOPE scholarships;

(3) Be recommended for participation in the ASPIRE work-study program by the eligible postsecondary institution that the student is attending;

(4) Undergo a criminal history records check that complies with the requirements of § 49-5-5610. Any reasonable costs incurred by the Tennessee bureau of investigation or the federal bureau of investigation, or both, in conducting an investigation of an applicant shall be paid by the applicant. In

lieu of additional criminal history records checks for subsequent applications for the ASPIRE work-study program, the applicant may submit copies of the applicant's

initial criminal history records check documentation and shall not be required to pay any additional costs; and

(5) Submit an application as directed by TSAC for employment with the

ASPIRE work-study program.

(i) Prior to a student beginning work in the ASPIRE work-study program and an employing LEA or after school program permitting a student to begin work, TSAC shall

provide to the student and the employing LEA or after school program a student placement form. This form shall specify the periods during which a student is eligible to

work, the TSAC approved hourly pay rate, the maximum number of hours the student

may work each week, and the maximum amount the student may earn through the

ASPIRE work-study program. If an employing LEA or after school program permits a

student to begin work without receiving a student placement form, the employing LEA or

after school program is responsible for paying the student in full for all hours worked

prior to receiving the placement form.

(j) Employing LEAs and after school programs may be permitted to interview students applying to work in the ASPIRE work-study program. No student shall be

denied participation in the ASPIRE work-study program because of race, color, religion,

sex, or national origin.

(k) At no time shall a student be left alone in a work-study assignment without the supervising presence of a paid, full-time employee of the employing LEA or after

school program.

(l) The employing LEA or after school program shall immediately contact TSAC,

if the employing LEA or after school program:

(1) Has concern about an ASPIRE work-study student's performance; or

(2) Requests reassignment or dismissal of an ASPIRE work-study student.

(m)

(1) TSAC is authorized to promulgate rules and regulations to effectuate the purposes of this section. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4,

Chapter

5.

(2) The commissioner of education is authorized to promulgate rules and regulations to effectuate the purposes of this section, including, but not limited to,

the participation in the ASPIRE work-study program by LEAs and organizations

offering after school programs and the employment of ASPIRE students in the pilot after school programs under § 49-6-705. All such rules and regulations shall

be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 2. The provisions of this act shall not be construed to be an appropriation of

funds and no funds shall be obligated or expended pursuant to this act unless such funds are

TISL Bill 91

specifically appropriated from the lottery for education account by the general appropriations act.

SECTION 3. For the purpose of promulgating rules and regulations, this act shall take

effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on July 1, 2013, the public welfare requiring it.

TISL Bill 92

AN ACT TO EDUCATE CHILDREN IN GRADES K-12 ON THE ILLS OF BULLYING AMENDS TENNESSEE CODE ANNOTATED, 49-6-1016

WHEREAS, bullying is detrimental to the learning environment and psyche of school aged children in grades K-12, and

WHEREAS, countless number of children are subjugated to un-relentless bullying which causes loss of school days, poor performance in the classroom, social interaction, and in extreme cases death, and

WHEREAS, addressing bullying other than the statements in the policies will bring more awareness, and foster an environment where kids will feel comfortable about speaking on bullying,

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

Section 1. Tennessee State Curriculum shall be updated to include a course on bullying that has been developed by therapists, teachers, education administrators, students and those who have been bullied.

Section 2. The course shall include in it a section on cyber-bullying, effective ways to eliminate bullying among peers, and recourse of action to report bullying.

Section 3. This act shall take effect 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

Byron Glenn, Tenn State Univ

House

Mohamed Shukri, Tenn State Univ

Talessya Johnson, Tenn State Univ

TISL Bill 93

AN ACT TO CREATE COMMON APPLICATIONS FOR HIGHER EDUCATION AMENDS TENNESSEE CODE ANNOTATED, 49-7-101

WHEREAS, college applications vary in all institutions within the state university and community college system and the University of Tennessee, and

WHEREAS, this process can create a burden on Tennesseans applying for enrollment in various institutions of higher education

WHEREAS, a common application used by all public institutions of higher education will ease the burden of the application process,

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by

adding the following as a new, appropriately designated section:

(a) The Tennessee higher education commission shall confer with the board of regents and the University of Tennessee board of trustees to create a common application to be used by all institutions of higher education within the state university

and community college system and the University of Tennessee. The commission shall

design such an application in order to increase the ease of applying to colleges and

universities throughout Tennessee. The board of regents and board of trustees shall

fully cooperate with the commission in the creation of a common application. The

application shall be completed and implemented for use by applicants for the 2012-2013

academic year.

(b) The Tennessee higher education commission shall confer with the board of regents and the

University of Tennessee board of trustees to create a common state financial aid application to

be used by all institutions of higher education within the state university and community college

system and the University of Tennessee. In designing such an application the commission shall

strive to simplify the application process. The board of regents and board of trustees shall fully

cooperate with the commission in the creation of a common financial aid application. The

application shall be completed and implemented for use by financial aid applicants for the 2012-

2013 academic year.

SECTION 2. This act shall take effect August 1, 2012.

Status

Committee

Higher Education

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Byron Glenn, Tenn State Univ

House

Mohamed Shukri, Tenn State Univ

Talessya Johnson, Tenn State Univ

TISL Bill 94

AN ACT TO OFFER YEARLY SEXUALLY TRANSMITTED DISEASE'S (STDs) AND AIDS TESTING TO ALL PUBLIC COLLEGES AND UNIVERSITIES STUDENTS

WHEREAS, the number of STDs and AIDS infections are rising in the age group of college students, and

WHEREAS, one in four college students have a STD, and

WHEREAS, eighty-percent of people who have a STD experience no noticeable symptoms,

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

Section 1. Tennessee Public Colleges and Universities offer free of charge STD and AIDS testing to all currently enrolled students so they will know their health status.

Section 2. All results will be confidential.

Section 3. High-risk students, such as HIV/AIDS positive, will be asked to expose their status to their partners.

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

Status

Committee

Higher Education

Pending on Calendar

Senate

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House

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Sponsors

Boldface = Prime Sponsor

Senate

Byron Glenn, Tenn State Univ

House

Talessya Johnson, Tenn State Univ

Nakita Burns, Tenn State Univ

Mohamed Shukri, Tenn State Univ

TISL Bill 95

A RESOLUTION ENCOURAGING COLLEGES AND UNIVERSITIES IN THE STATE OF TENNESSEE TO DEVELOP AN INTERNET BILL OF RIGHTS THAT INFORMS STUDENTS OF THEIR WEBMAIL AND COURSE MANAGEMENT SITE PRIVACY SETTINGS.

Whereas public and private two and four year institutions of higher education in the state are outsourcing internal mail services to webmail providers.

Whereas webmail applications give institutions of higher learning authorization and therefore ownership of all online: chats, phone calls, blogger posts, you-tube browsing history, location enabling services and photo-sharing applications accessed through the student account.

Whereas webmail application and services ease schools of higher learning's ability to the gather highly detailed personal histories of individual, including sensitive information.

Whereas webmail application have yet to provide baseline fair information practice protections for students from the selling and transferring of data to third parties, for purposes unknown to an individual to whom the personally identifiable information pertains.

Whereas students are expected to post papers, essays, and exams on course management system

Whereas course management system used by many schools of higher education have been found to have security flaws and vulnerabilities that could give hackers access to grades, exams, and faculty and student personal information.

Whereas there is no standard of transparency in university webmail and course management site privacy setting.

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

that The Tennessee Board of Regents shall convene a Committee on Internet Privacy for Higher Education. This committee shall include 2 faculty members from institutions of higher learning in Tennessee, 2 administrators from institutions of higher learning in Tennessee (one being a private institution), 2 students enrolled at a college or university in Tennessee (one being a private institution), and 1 representative from an online course-management company. All committee members shall be appointed by the Board of Regents.

Be it further resolved that the committee shall be convened on July 1, 2012. The committee will be reconvened on July 1 every 10 years thereafter.

Be it further resolved that:the Committee shall develop an "Internet Bill of Rights" that explains the university's ownership of all data used on university approved, web-based applications, explains data storage on course management sites, and includes other information deemed appropriate by the Committee.

Be it further resolved that all public and private 2 or 4 year colleges and universities shall be encouraged to distribute The Internet Bill of Rights to incoming students.

Be it further resolved that all public and private 2 or 4 year colleges and universities shall be encouraged to make The Internet Bill of Rights readily available on their website.

Status

Committee

Higher Education

Pending on Calendar

Senate

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House

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Senate

House

Britt Johnson, Vanderbilt Univ

TISL Bill 96

AN ACT TO EXPAND PUBLIC TRANSPORTATION

WHEARAS, public transportation saves significant amounts of gasoline, and
WHEREAS, companies will be attracted to the state of Tennessee to do
business, as their intercity transportation would be less expensive and more
convenient, and

WHEREAS, public transportation produces economic activity in and around the
rail destinations, and

WHEREAS, investment in public transportation immediately creates thousands
of jobs,

WHEREAS, high speed rail will save the state of Tennessee money in other
areas of transportation, and

WHEREAS, high speed rail will lessen traffic congestion on major highways
across the state, and

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

Section 1. Amend TCA Title 4, Chapter 3, Part 23 by adding a new
appropriately designated subsection:

“ 4-3-2312. High Speed Rail System

(a) The Department of Transportation shall build and maintain a high speed rail
line between the following cities:

- (1) Nashville and Memphis
- (2) Nashville and Chattanooga
- (3) Chattanooga and Knoxville
- (4) Nashville and Knoxville
- (5) Memphis and Chattanooga

(b) The Department of Transportation shall receive at least three bids from
private firms to build the high-speed rail system. The Department of
Transportation Office shall select three of these bids to present to the Office of the
Governor, who will select the winner of the contract.

(c) The high-speed rail system shall be operated as a single entity by the
Department of Transportation.

(d) The Department of Transportation is responsible for creating and
implementing rules and regulation related to the high-speed rail system.

(e) The bidding process shall open July 1, 2012 and close January 1, 2013. The
Department of Transportation shall make the recommendation to the Governor no
later than April 1, 2013. The Office of the Governor shall select the winning
contract by May 1, 2013.

(f) For the purpose of this code section, “high-speed rail” shall be defined as,
“intercity passenger rail service that is reasonably expected to reach speeds of at
least up to 110 miles per hour.”

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

Status

**Committee
Transportation**

Pending on Calendar

Senate

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House

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Senate

House

Samer Abraham, Vanderbilt Univ

TISL Bill 97

AN ACT TO REPEAL THE SEAT BELT LAW

WHEREAS, the use of a seat belt is personal safety decision, and
 WHEREAS, it is not absolutely the case that seat belts will prevent or reduce the likelihood of injury or fatality in every accident, and
 WHEREAS, evidence has found that the use of a seat belt represents a moral hazard and is correlated to faster and more reckless driving,

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

Section 1. TCA 55-9-603 shall be deleted in its entirety and replaced with the following:

“(A) All passengers in a vehicle being driven by an individual aged sixteen (16) or below shall be required to wear a seat belt while the vehicle is in motion.

(B) Those found guilty of this offense shall be cited for a class D misdemeanor and ticketed for ten dollar (\$10) for the first offense and twenty dollars (\$20) for subsequent offenses.

(C) All passengers below the age of sixteen (16) shall be required to wear seat belts at all times, and the driver shall be cited for this offense, not the minor.

(D) The provisions of this law shall be enforced on a primary basis.

(E) This change in law shall not subject any individual to statutes related to involuntary vehicular manslaughter in the case that a passenger is killed for having neglected to wear a seat belt, under the conditions that all of the other provisions are upheld.”

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

Status

Committee
Transportation
 Pending on Calendar
Senate

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House
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Senate
House
Samer Abraham, Vanderbilt Univ

TISL Bill 98

A RESOLUTION TO MERGE THE EARLY CHILDHOOD EDUCATION CURRICULUM AND STANDARDS OF THE DEPARTMENT OF HUMAN SERVICES WITH THAT OF THE DEPARTMENT OF EDUCATION.

Whereas our children’s education should be of the highest priority and:

Whereas highly effective preschool programs can produce lasting effects on our children and poor preschool programs can produce negative, lasting effects and

Whereas creating a higher uniform standard curriculum can help eliminate the learning gap between private and publicly funded daycare, therefore making the standards the same for all children entering school.

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

that all early childhood development curriculum and standards currently used by the Department of Human Services and the State of Tennessee should be changed and elevated to the higher current standards of the Department of Education and plans should be put in place to develop a single universal standard for all private and public institutions to create a step by step education process for all children leading up to and through third grade

Status

Committee
Education II
 Pending on Calendar
Senate

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House
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Senate
House
Brandi Zelenka, Pellissippi State CC

TISL Bill 99

AN ACT CONCERNING PUBLIC HIGHER EDUCATION; RELATING TO THE PAYMENT OF TUITION AND FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND THE DETERMINATION OF TENNESSEE RESIDENCY FOR THAT PURPOSE.

WHEREAS, the denial of in-state tuition to certain persons has negatively affected the state of Tennessee, and

WHEREAS, Tennessee is not taking advantage of the human resources available within the state

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

Section 1. An individual applying for a public institution of higher education shall be considered as a Tennessee resident if the individual is:

- a) A financially independent student who has had a domicile in the state of Tennessee for the period of one year immediately prior to the time of commencement of the first day of the semester for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purpose other than educational;
- b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Tennessee for at least one year immediately prior to commencement of the semester for which the student has registered at any institution;
- c) Any student who has spent both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for two semesters in any calendar year;
- d) Any student who has graduated from high school in this state or received the equivalent of a high school diploma in this state and who has attended at least three years of high school in this state, however a student who is not a citizen of the United States of America shall submit an affidavit to the institution stating he or she has filed or will file an application for permanent residency in the United States at the earliest opportunity he or she is eligible to do so;
- e) A student who is on active military duty stationed in the state or who is a member of the Tennessee national guard;
- f) A student who is the spouse or a dependent of a person who is on active military duty stationed in the state; or
- g) A student who resides in the state of Tennessee and is the spouse or a dependent of a person who is a member of the Tennessee national guard;

Section 2. A public institution of higher education shall not charge out-of-state tuition to any person who shall be considered to be a Tennessee resident.

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

Status

Committee

Higher Education

Pending on Calendar

Senate

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House

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Enrique Cruz, Walters State CC