

LEGISLATION AFFECTING TENNESSEE BOARD OF REGENTS

Public Acts of 2005

Table of Contents

<u>Subsection</u>	<u>Public Chapter</u>	<u>Page</u>
I. ACADEMICS		
Certification in Massage, Bodywork, or Somatic Therapy	232	1
Development of Career Planning Information for Students	328	1
II. ADMINISTRATION		
Sunset Legislation for UT Board of Trustees	410	2
Governor's Books from Birth Fund	416	2
Higher Education Master Plan and Funding Formulae	419	2
Sunset Legislation for THEC	435	2
III. BUSINESS		
Chairs of Excellence Endowment Fund	91	3
Tax Deduction for Charitable Donations	98	3
Consumer Protection Relative to Identity Theft	161	3
Tennessee Job Growth Act of 2005	233	3
Governmental Financing of Computer Hardware and Software	248	4
Enacts the State of Tennessee Audit Committee Act	310	4
Investments, Deposits, and Government Held Funds	432	4
Tuition Discounts - Dependents of Full-Time Technology Coordinators for Local Education Agencies	447	4
Fiscal Review Committee - Review of Audits	449	4
Purchasing Authority for Departmental Purchases	461	5
Unauthorized Breach of Personal Consumer Information	473	5
Appropriations FY 2004-2006	503	5

**Public Acts of 2005
Table of Contents**

IV. FACILITIES		
Revisions to Building Codes	284	6
Accessibility of Elevator Keys for Firefighters	404	6
Bond Issues for Capital Outlay and Maintenance	502	6
V. HUMAN RESOURCES		
Employment after Retirement	203	7
Changes to Tennessee Consolidated Retirement System Affecting Pensions and Retirement Benefits	204	7
Leave Time Granted to Employees Following Birth or Adoption	224	7
Filling of Personnel Vacancies as Public Record	263	7
Insurance for Families of Soldiers Killed in Line of Duty	376	8
Credit for Sick Leave	382	8
Benefit Review Conference Required for State Employees	384	8
Increased State Match on Contributions to 401K	491	9
Domestic Violence Study by Tennessee Economic Council	492	9
VI. LEGAL		
Ethics and Disclosure of Consulting Contracts	102	10
Misrepresenting Information to State Auditor	135	10
Filling of Personnel Vacancies as Public Record	263	10
Sexual Assault on College Campuses - Reporting Requirements	305	11
Administrative Procedure UAPA	464	11
Disclosures for General Assembly	476	11
Privilege Tax Exemptions	494	11
VII. LOTTERY		
Late Filings Allowance for Charitable Organizations	207	12
Charitable Gaming - Assistance for Small Organizations	242	12
Voluntary Pre-K for Tennessee Act of 2005	312	12
Revisions to Tennessee's Lottery Scholarship Program	481	12

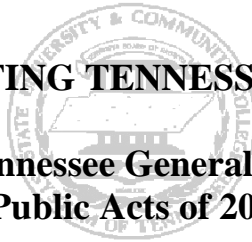
**Public Acts of 2005
Table of Contents**

VIII. STUDENTS

Sexual Assault on College Campuses - Reporting Requirements	305	14
Smoking in Student Dormitories	329	14
Student Information in Higher Education Act of 2005	313	14
Development of Career Planning Information for Students	328	14
Revisions to Tennessee's Lottery Scholarship Program	481	14

LEGISLATION AFFECTING TENNESSEE BOARD OF REGENTS

104th Tennessee General Assembly Public Acts of 2005



ACADEMICS

Public Chapter 232 (Effective May 27, 2005)

Certification in Massage, Bodywork, or Somatic Therapy

Provides for any person who completes an approved program of study for massage, bodywork, or somatic therapy and receives a diploma prior to September 1, 2005 may be issued a license without completing the examination. Students that meet specific criteria will have until January 1, 2006 to apply for such license. Passage rates must be published annually for each massage school. Schools which fail to achieve a 70% overall passing rate are required to submit a remedial plan.

SB 2082 Cooper/HB 2030 Odom

<http://tennessee.gov/sos/acts/104/pub/pc0232.pdf>

Public Chapter 328 (Effective June 7, 2005)

Development of Career Planning Information for Students - THEC

Requires THEC in collaboration with TBR and UT to develop career planning information for each curriculum or major field of study that leads to a baccalaureate degree at state higher education institutions. Information shall be accessible from college websites and shall include at minimum Tennessee's job market potential, median income, and advanced degree information. Institutions are not required to publish the detailed information in school catalogs, but they are required to publish the URL.

SB 709 Finney and Hagood/HB 1365 Dunn, et al.

<http://tennessee.gov/sos/acts/104/pub/pc0328.pdf>

ADMINISTRATION	
<p>Public Chapter 410 (Effective July 1, 2005)</p>	<p>Sunset - UT Board of Trustees Sunsets the University of Tennessee Board of Trustees on June 30, 2007.</p> <p>SB 1382 Harper/HB 1520 Kernell</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0410.pdf</p>
<p>Public Chapter 416 (Effective June 17, 2005)</p>	<p>Governor's Books from Birth Fund Establishes the Fund to promote and foster the development of a comprehensive statewide program for encouraging pre-school children to read. Authorizes the Fund to partner with a nonprofit public benefit corporation that is organized solely to promote and encourage reading in Tennessee children.</p> <p>SB 2275 Kyle, et al./HB 2288 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0416.pdf</p>
<p>Public Chapter 419 (Effective July 1, 2005)</p>	<p>Higher Education Master Plan and Funding Formulae Establishes a review committee to meet at least annually to aid in development of the higher education master plan and funding formulae. Committee members include THEC executive director, TBR chancellor, UT president, commissioner of the department of finance and administration, state comptroller, chairpersons of the education and finance ways, and means standing committees of the senate and house of representatives, and the director of the office of legislative budget analysis, or their designees. The committee must submit an annual report by November 1 of each year to the governor and the legislative education oversight committee.</p> <p>SB 644 Hagood/HB 372 Winningham</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0419.pdf</p>
<p>Public Chapter 435 (Effective July 1, 2005)</p>	<p>Sunset - THEC Sunsets Tennessee Higher Education Commission on June 30, 2007.</p> <p>SB 942 Harper/HB 1439 Kernell</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0435.pdf</p>

BUSINESS	
<p>Public Chapter 91 (Effective April 19, 2005)</p>	<p>Chairs of Excellence Endowment Fund Clarifies certain definitions concerning provisions governing the expenditure of funds from the chairs of excellence endowment fund. Defines "corpus of the trust" as funds appropriated by the state for the purpose of funding the trust, and the matching funds contributed by public universities and by private sources on behalf of the respective universities. Defines "income from the trust" as all earnings from the trust's investment portfolios from whatever source derived including, but not limited to, interest, dividends, realized capital gains (or losses), and any income previously applied to the corpus of the trust.</p> <p>SB 1095 McLeary/HB 1528 Armstrong</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0091.pdf</p>
<p>Public Chapter 98 (Effective April 22, 2005 to promulgate rules and regulations; Effective July 1, 2005 for all other purposes)</p>	<p>Tax Deduction for Charitable Donations Establishes additional excise tax deduction for 75 percent of the value of monetary charitable donations made to qualified nonprofit organizations and used by them to purchase goods or services on which Tennessee sales or use taxes were paid. Deduction is in addition to any other deduction allowed by excise tax law. Taxpayer may not designate a specific purpose for the donation.</p> <p>SB 475 Crutchfield, et al./HB 530 Hackworth, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0098.pdf</p>
<p>Public Chapter 161 (Effective May 13, 2005 and January 1, 2007)</p>	<p>Consumer Protection Relative to Identity Theft Clarifies that no merchant shall print on any receipt kept by the merchant or given to the customer more than five digits of the customer's credit card number or the card's expiration date. Law immediately applies to any cash register or other machine that electronically receipts credit card or debit card transactions and was first put into use after January 1, 2005. Effective January 1, 2007, the provisions shall apply to cash registers or other machines that electronically print receipts for credit or debit card transactions that was in use prior to January 1, 2005.</p> <p>SB 1843 Herron, et al./HB 1095 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0161.pdf</p>
<p>Public Chapter 233 (Effective May 27, 2005)</p>	<p>Tennessee Job Growth Act of 2005 Establishes FastTrack infrastructure development and job training assistance programs within the department of economic and community development to assist new and existing business and industry that locate or expand in this state and create or retain jobs. Creates FastTrack infrastructure development and job training assistance fund as a separate account in the general fund for this purpose.</p> <p>SB 2272 Kyle, et al./HB 2287 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0233.pdf</p>

<p>Public Chapter 248 (Effective May 27, 2005)</p>	<p>Governmental Financing of Computer Hardware and Software Specifies that computer software, whether acquired before, at the same time as, or after the hardware needed for utilization of the software, constitutes equipment for governmental financing purposes to the extent accounted for as a capital asset. Authorizes a land swap for MTSU.</p> <p>SB 2090 Henry/HB 2016 Fitzhugh</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0248.pdf</p>
<p>Public Chapter 310 (Effective June 6, 2005)</p>	<p>Enacts the State of Tennessee Audit Committee Act Permits certain entities to create audit committees composed of three members each. Directs committees to establish a charter to be approved by the governing body and the comptroller. Directs committee to pursue actions that report fraudulent activity.</p> <p>SB 2088 Henry and Fowler/HB 2015 Fitzhugh</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0310.pdf</p>
<p>Public Chapter 432 (Effective January 1, 2006)</p>	<p>Investments, Deposits, and Government Held Funds Expands the types of authorized investments, type of deposits, and places for deposit of funds held by governmental entities. Specifies the investment is subject to the approval of the state funding board for investments and the respective boards of the University of Tennessee and the Board of Regents. Requires the authorizing body to establish policies and procedures for the investments.</p> <p>SB 565 Kyle/HB 1276 Briley, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0432.pdf</p>
<p>Public Chapter 447 (Effective June 17, 2005)</p>	<p>Tuition Discounts - Dependents of LEA Full-Time Technology Coordinators Permits children under 24 years of age whose parent is employed as a full-time public school technology coordinator to receive 25% discount on tuition to attend any state higher education institution. Current law provides same tuition discount to children of full-time certified public school teachers.</p> <p>SB 1629 Norris and Burks/HB 669 Maddox and Brooks</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0447.pdf</p>
<p>Public Chapter 449 (Effective June 18, 2005 and January 1, 2007)</p>	<p>Fiscal Review Committee - Review of Audits Directs the fiscal review committee to review and discuss all audits of state departments, agencies, or institutions that are prepared by the comptroller. Requires the committee to review all audits while the general assembly is not in session, except under extraordinary circumstances. Effective January 1, 2007, the fiscal review staff is required to forward to the chair of the committee any audit that contains a finding or substantially similar finding that has been repeated in three consecutive audits.</p> <p>SB 87 Bryson/HB 41 Dunn</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0449.pdf</p>

<p>Public Chapter 461 (Effective July 1, 2005)</p>	<p>Purchasing Authority for Departmental Purchases Increases departmental small purchase authority from not exceeding \$2,000 to not exceeding \$5,000.</p> <p>SB 1307 Cooper/HB 1746 Langster, S. Jones, and Marrero</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0461.pdf</p>
<p>Public Chapter 473 (Effective July 1, 2005)</p>	<p>Unauthorized Breach of Personal Consumer Information Requires persons, businesses or government agencies that discover a breach of information security resulting in disclosure of unencrypted personal information about persons to unauthorized third parties to provide notice of such disclosure. Specifies that such personal information includes social security numbers, driver license numbers, and credit or debit card numbers. Requires individuals who discover security violations involving 1,000 individuals or more to notify all consumer reporting agencies and credit bureaus that compile and maintain consumer files on a nationwide basis. The law does not apply to the provisions of Title V of the Gramm-Leach Bliley Act of 1999.</p> <p>SB 2220 Herron/HB 2170 Maddox</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0473.pdf</p>
<p>Public Chapter 503 (Effective July 1, 2005)</p>	<p>Appropriations FY 2004-2006 Makes appropriations for fiscal years 2004-2005, 2005-2006. Provides a 3% across-the-board salary increase for state employees effective July 1, 2005; requires higher education to fund 1/3 of the cost of the salary increases. Provides a \$10 per month increase in the 401K match for employees. Other provisions include (1) \$750,000 for the UM School of Law to develop a plan to address issues cited by the American Bar Association; (2) \$100,000 to the TTC at Whiteville for acquisitions, improvements and operations in the Brownsville, Tennessee area; (3) \$250,000 to UM for the Benjamin Hooks Institute for curriculum development regarding the civil rights movement in the South; (4) requires THEC, TBR, and UT to coordinate the creation of undergraduate tuition models for public higher education for a 5-year period (at minimum); and (5) continuation of Geier funding for FY 06 was encouraged.</p> <p>SB 2315 Henry and Kyle/HB 2331 McMillan, Fitzhugh, Tindell, Shaw, and Fraley</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0503.pdf</p>

FACILITIES	
<p>Public Chapter 284 (Effective July 1, 2006)</p>	<p>Revisions to Building Codes Allows the statewide building construction safety standards be selected from the International Code Council, Inc. instead of the Southern Building Code Congress International, Inc. Requires all public buildings, which are constructed, enlarged, substantially altered or repaired after July 1, 2006 to be designed and constructed pursuant to specifications making such buildings accessible to physically handicapped persons. Minimum specifications shall be the 2002 North Carolina Accessibility Code with 2004 Amendments.</p> <p>SB 2263 Kyle, Ketron, Cooper, and Miller/ HB 2280 McMillan and S. Jones</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0284.pdf</p>
<p>Public Chapter 404 (Effective July 1, 2005)</p>	<p>Accessibility of Elevator Keys for Firefighters Requires TBR and UT to adopt uniform rules requiring placement of lock boxes in all student dormitories and other university housing with functioning elevators. Lock boxes must be installed in housing facilities by each bank of elevators, must be operable by a universal key, mounted 72" from the floor to the center of the box, and shall contain only fire service keys and drop keys to the appropriate elevators. General standards for the design of such boxes must be approved by the Department of Labor and Workforce Development by July 30, 2005. Creates a Class C misdemeanor for failure to comply punishable by fine of no more than \$250,000.</p> <p>SB 851 Harper and Herron/ HB 745 Turner, Moore, and Langster</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0404.pdf</p>
<p>Public Chapter 502 (Effective June 22, 2005)</p>	<p>Bond Issues for Capital Outlay and Maintenance Authorizes issuance of \$69,990,000 in bonds to institutions of higher education for purpose of capital outlay and maintenance.</p> <p>SB 2409 Henry, Kyle, Wilder, and Ramsey/ HB 2014 Fitzhugh and Hargrove</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0502.pdf</p>

HUMAN RESOURCES	
<p>Public Chapter 203 (Effective July 1, 2005 and January 1, 2006)</p>	<p>Employment after Retirement Increases the amount of time a public employee can work after retirement and still collect retirement allowances. Increases the amount of pay the employee is eligible to receive when returning to work after retirement.</p> <p>SB 500 Henry and McNally/HB 962 Fitzhugh</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0203.pdf</p>
<p>Public Chapter 204 (Effective May 23, 2005)</p>	<p>Changes to TCRS Affecting Pensions and Retirement Benefits Specifies how certain entities may terminate participation in TCRS, including part-time employees, and also provides for their TCRS continued eligibility. Specifies an optional retirement system for higher education employees. Establishes survivor's benefits. Changes mandatory retirement ages. Allows certain employees to work beyond retirement age. Sets disability retirement allowances.</p> <p>SB 503 Henry and McNally/HB 210 Fitzhugh</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0204.pdf</p>
<p>Public Chapter 224 (Effective May 27, 2005)</p>	<p>Leave Time Granted to Employees Following Birth or Adoption The law changes the gender specific language to include employees generally and also includes leave for adoptions which had not been previously covered. Provides that employees who have been employed by the same employer for at least 12 consecutive months as full-time employees may be absent for a period not to exceed 4 months for adoption, pregnancy, childbirth and nursing an infant. The adoption period begins to run at the time an employee receives custody of the child. Reinstatement is generally required for those employees who give at least 3 months' notice of their anticipated leave, the length of the leave and their intention to return to full-time employment at the end of the leave. These employees should maintain the same status, pay, service credit and seniority where applicable. If notice of an adoption was received less than 3 months in advance, an employee's rights are not forfeited. Leave under this Act generally may be with or without pay according to the employer's discretion.</p> <p>SB 1566 Tracy, Miller, and Burks/HB 1323 Stanley, Marrero, and Hargett</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0224.pdf</p>
<p>Public Chapter 263 (Effective May 28, 2005)</p>	<p>Filling of Personnel Vacancies as Public Record Makes all records, employment applications, credentials, and similar documents obtained by a person in conjunction with an employment search for any chief public administrative officer to be open for public inspection. "Person" is defined as a natural person, corporation, firm company, association or any other business entity.</p> <p>SB 868 Fowler/HB 1968 Winningham and Brooks</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0263.pdf</p>

<p>Public Chapter 376 (Effective June 7, 2005)</p>	<p>Insurance for Families of Soldiers Killed in Line of Duty Establishes provisions for the extension of insurance coverage for families of state employees who are members of the Tennessee Army National Guard or the Tennessee Air National Guard and are killed in the line of duty. Applies to surviving spouses and qualified dependent children.</p> <p>SB 2320 Kyle, et al./HB 2336 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0376.pdf</p>
<p>Public Chapter 382 (Effective June 9, 2005)</p>	<p>Credit for Sick Leave No state department or agency shall deny an employee credit for sick leave at retirement due to the destruction or loss of such employee's sick leave records. Provisions apply retroactively to individuals employed by the state in the last ten years. Person making the claim must sign an affidavit. Organization that kept the records must show the records were destroyed accidentally. Provides alternative certification procedures if sick leave records are destroyed.</p> <p>SB 700 Cohen and Kilby/HB 306 Kernell</p> <p>http://www.legislature.state.tn.us/bills/currentga/Chapter/PC0382.pdf</p>
<p>Public Chapter 384 (Effective July 1, 2005)</p>	<p>Benefit Review Conference Required for State Employees Requires state employee to exhaust benefit review conference (BRC) process before filing workers' compensation claim with claims commission. In the event an agreement cannot be reached at the BRC, the employee has 90 days after the date the written agreement is filed with the commissioner of labor and workforce development to file a claim with the claims commission. If the division of claims administration has paid workers' comp benefits, either voluntarily or as result of order to do so, within one year following the accident resulting in injury, claimant must file a request to have the BRC no later than one year from the date of last authorized treatment or time division ceased to make payments of compensation to or on behalf of claimant in order for claimant to recover any unpaid or further workers' comp benefits. The time limitation period for employee to make claim for occupational disease or death benefits as result of an occupational disease will begin when the incapacity for work results from such disease or upon the date death results from such disease. The BRC must be held in the home county of the state employee's residence unless otherwise agreed to by both parties. State employees' right to compensation and other benefits under workers' compensation law will be barred unless the division receives notice of such claim within one year after the accident resulting in injury. Upon motion of the employee, the claims commission may, prior to the BRC or any final hearing on the claim, order the state to initiate, continue, or reinstate temporary disability benefits, or to provide medical benefits to employee pending final decision in case if the claims commission determines that such order would be appropriate based on available information. With respect to determination of whether to order payment of temporary disability or medical benefits, the claims commission must decide such issues solely on basis of information available without favor or presumption for or against either party.</p> <p>SB 998 Haynes/HB 1529 McMillan</p> <p>http://www.legislature.state.tn.us/bills/currentga/Chapter/PC0384.pdf</p>

<p>Public Chapter 491 (Effective July 1, 2005)</p>	<p>Increased State Match on Contributions to 401K Changes the employer match of the employee's contribution to a 401k plan to be a maximum of \$20.00 per month or a higher maximum as may be set in the annual appropriations act.</p> <p>SB 1227 Herron, et al./HB 2125 Fitzhugh, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0491.pdf</p>
<p>Public Chapter 492 (Effective June 22, 2005)</p>	<p>Domestic Violence Study by Tennessee Economic Council Requires the Tennessee Economic Council for Women to conduct a study on domestic violence. The study will review and propose methods to reduce domestic violence, to bring employers to address domestic violence concerns, and to address the root causes of domestic violence. The Tennessee Economic Council is required to report their findings to the general assembly.</p> <p>SB 1534 Harper, et al./HB 2128 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0492.pdf</p>

LEGAL**Public Chapter 102
(Effective July 1, 2005)****Ethics and Disclosure of Consulting Contracts**

“Consulting services” does not mean the practice or business of law in connection with representation of clients by a licensed attorney in a contested case action, administrative proceeding or rule making procedure. Creates a Class A misdemeanor offense with a provision that person convicted will be disqualified from holding any office, for any member of the general assembly, member-elect of the general assembly, governor, member of the governor’s staff, secretary of state, treasurer, comptroller, and other municipal and county elected officials to knowingly receive any form of compensation for consulting services. A violation that also constitutes the offense of bribery is a Class C felony. Acceptable gifts are referenced in the code. Requires disclosure if any person or entity other than the state, a county or municipality, contracts to pay or receive any compensation for consulting to or from any staff person or employee of the general assembly, member of a commission established by the general assembly, member or employee of a state regulatory commission, or a member or employee of any executive department or agency or other state body. Creates a Class C misdemeanor for any person or entity who knowingly fails to file a disclosure form or file more than 30 days after the report is due. States that a sibling, spouse, or child who is required to register as a lobbyist must report in writing certain information to the registry of election finance. Requires a report be filed by February 1. A false statement is subject to the penalties of perjury. By February 1 of each year, each general assembly member must disclose to the registry of election finance the name and address of each entity paying private income to the member or the member’s spouse totaling more than \$200, including, but not limited to, offices, directorships and salaried employment. Requires disclosure of any positions held with any corporation, firm partnership, any other business enterprise, any non-profit organization, or an educational institution.

SB 1841 Herron, et al./HB 0001 McMillan, et al.

<http://tennessee.gov/sos/acts/104/pub/pc0102.pdf>

**Public Chapter 135
(Effective July 1, 2005)****Misrepresenting Information to State Auditor**

Creates a Class C misdemeanor for a public servant who, with intent to deceive, knowingly misrepresents material information related to an audit.

SB 1063 Ketron/HB 495 DuBois

<http://tennessee.gov/sos/acts/104/pub/pc0135.pdf>

**Public Chapter 263
(Effective May 28, 2005)****Filling of Personnel Vacancies as Public Record**

Makes all records, employment applications, credentials, and similar documents obtained by a person in conjunction with an employment search for any chief public administrative officer to be open for public inspection. “Person” is defined as a natural person, corporation, firm company, association or other business entity.

SB 868 Fowler/HB 1968 Winningham and Brooks

<http://tennessee.gov/sos/acts/104/pub/pc0263.pdf>

<p>Public Chapter 305 (Effective June 6, 2005)</p>	<p>Sexual Assault on College Campuses - Reporting Requirements Removes requirement for campus officials to report assaults to local law enforcement without respect to victims' wishes should the victim desire to keep the matter private. This does not impact campus crime statistics as required by federal law to be reported. When notified of the incident, requires campus officials to refer the victim to a sexual assault program or other campus or community service.</p> <p>SB 811 Burchett and Burks/HB 1542 Hargrove, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0305.pdf</p>
<p>Public Chapter 464 (Effective June 18, 2005)</p>	<p>Administrative Procedure UAPA Continues permanent rules filed with secretary of state after January 1, 2004.</p> <p>SB 1367 Harper/HB 1442 Kernell, Brooks, and Cooper</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0464.pdf</p>
<p>Public Chapter 476 (Effective June 20, 2005)</p>	<p>Disclosures for General Assembly Requires any person or other entity that contracts with the State of Tennessee and pays more than a \$200 fee, commission or other form of compensation for consulting services to a member of the general assembly or a member's spouse for consulting services on contracts to which the State of Tennessee is not a party and for which such consulting services are to be rendered outside the State of Tennessee, then such person or entity must disclose this information to the registry of election finance. Clarifies that general assembly members must disclose any source of private earned household income more than \$200 in regard to private income received from securities listed on the NYSE or the NASDAQ.</p> <p>SB 585 Cohen, Kyle, and Fowler/HB 1590 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0476.pdf</p>
<p>Public Chapter 494 (Effective June 22, 2005)</p>	<p>Privilege Tax Exemptions Exempts any person who is on active military duty for 180 days or more during the fiscal year from the occupational privilege tax.</p> <p>SB 1836 Herron, et al./HB 288 Hargett, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0494.pdf</p>

LOTTERY	
<p>Public Chapter 207 (Effective May 24, 2005 and July 1, 2005)</p>	<p>Late Filings Allowance for Charitable Organizations Extends application deadline to July 10, 2005 for charitable organizations seeking to hold an annual event for FY 06. Specifies that authorized nonprofit organizations offering a prize of real property may offer a cash equivalent prize not to exceed the fair market value of the real property. Requires disclosure of cash prize in the event's rules before selling any ticket, share, or chance.</p> <p>SB 2116 Crutchfield and Cohen/HB 2250 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0207.pdf</p>
<p>Public Chapter 242 (Effective May 27, 2005)</p>	<p>Charitable Gaming - Assistance for Small Organizations Urges the secretary of state to provide assistance to small and disadvantaged organizations in completion of forms and filings required for annual events.</p> <p>SB 1120 Burks/HB 1546 Winningham and Hargrove</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0242.pdf</p>
<p>Public Chapter 312 (Effective June 6, 2005)</p>	<p>Voluntary Pre-K for Tennessee Act of 2005 Enacts Voluntary Pre-K Tennessee Act of 2005. Program is subject to annual appropriations. Caps the appropriations from excess net education lottery proceeds at 25 million dollars. Requires LEA to provide a matching amount of funds based on the applicable state and local BEP classroom component ratio. Authorizes each LEA to first provide for enrollment of any at risk child who is four years old and residing in the geographic area served by the LEA and then provide for the enrollment of any child in a program when an insufficient number of at risk children are enrolled to fill a specific classroom. Establishes an Office of Early Learning within the Tennessee Department of Education.</p> <p>SB 2317 Kyle, et al./HB 2333 McMillan, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0312.pdf</p>
<p>Public Chapter 481 (Effective June 20, 2005 - weighted provisions are effective July 1, 2007)</p>	<p>Revisions to Tennessee's Lottery Scholarship Program TSAC will promulgate the necessary rules and regulations.</p> <ul style="list-style-type: none"> • Increases lottery scholarship awards and grants to \$3,300 at universities, \$1,650 at community colleges, \$1,300 at technology centers, and \$1,500 for the need-based supplemental awards. • Extends enrollment period to 16 months after graduation. • Effective July 1, 2007 GPA's will be determined on a weighted grading scale. • Provides a second chance for students that fail to meet academic requirements to maintain the scholarship. Students who lose the scholarship a second time may not regain it a third time. • Allows any HOPE scholarship eligible student who chooses to attend a regionally accredited out-of-state post-secondary institution to transfer to an eligible in-state post-secondary institution and receive HOPE scholarship. • Permits students to repeat one course one time and count the highest grade of the course attempts when computing cumulative grade point averages.

- Establishes eligibility criteria for non-traditional students - Tennessee residents, 25 years of age or older, and have an adjusted gross income that does not exceed \$36,000.
- Establishes grants for high school students who are dually enrolled in high school and college courses to receive college credit.
- Expands program to include children in foster care that meet the academic requirements for the HOPE scholarship or access grant. Provides funds to cover costs of tuition, fees, room and board after applying all other student financial assistance from all sources towards the students' cost of attendance.
- Expands the residency criteria to students whose parents are called out-of-state because of their military service.
- Renames the supplemental need-based scholarship as the ASPIRE Scholarship.
- Extends the program to include students attending O'More College of Design.
- Establishes an outreach program to inform students and their parents about financial assistance that is available.

SB 1315 McNally, et al./HB 1532 Winningham, et al.

<http://www.legislature.state.tn.us/bills/currentga/Chapter/PC0481.pdf>

STUDENTS	
<p>Public Chapter 305 (Effective June 6, 2005)</p>	<p>Sexual Assault on College Campuses - Reporting Requirements Removes requirement for campus officials to report assaults to local law enforcement without respect to victims' wishes should the victim desire to keep the matter private. This does not impact campus crime statistics as required by federal law to be reported. When notified of the incident, requires campus officials to refer the victim to a sexual assault program or other campus or community service.</p> <p>SB 811 Burchett and Burks/HB 1542 Hargrove, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0305.pdf</p>
<p>Public Chapter 329 (Effective June 7, 2005)</p>	<p>Smoking in Student Dormitories Permissive legislation that allows the establishment of uniform policies to prohibit smoking in all TBR and UT student dormitories. Does not require designation of indoor smoking areas in the dormitories or other facilities. Encourages designation of reasonable smoke-free zones at all building entrances and exits.</p> <p>SB 757 Burchett, et al./HB 1791 Hensley, Gresham, and Niceley</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0329.pdf</p>
<p>Public Chapter 313 (Effective June 7, 2005)</p>	<p>Student Information In Higher Education Act of 2005 Requires higher education institutions to inform parents and students of students' option to execute consent forms authorizing the institution to release certain otherwise confidential education records. Establishes a one-year pilot program at MTSU. Expansion of the program to all institutions is dependent upon review by a committee next year.</p> <p>SB 98 Kurita, Harper, Burks and Crowe/HB 562 Towns, Marrero, and L. Turner</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0313.pdf</p>
<p>Public Chapter 328 (Effective June 7, 2005)</p>	<p>Development of Career Planning Information for Students - THEC Requires THEC in collaboration with TBR and UT to develop career planning information for each curriculum or major field of study that leads to a baccalaureate degree at state higher education institutions. Information must be accessible from college websites and shall include at minimum the state's job market potential, median income, and advanced degree information. Institutions are not required to publish the detailed information in school catalogs, but they are required to publish the URL.</p> <p>SB 709 Finney and Hagood/HB 1365 Dunn, et al.</p> <p>http://tennessee.gov/sos/acts/104/pub/pc0328.pdf</p>
<p>Public Chapter 481 (Effective June 20, 2005 and July 1, 2007)</p>	<p>Revisions to Tennessee's Lottery Scholarship Program TSAC will promulgate the necessary rules and regulations.</p> <ul style="list-style-type: none"> Increases lottery scholarship awards and grants to \$3,300 at universities, \$1,650 at community colleges, \$1,300 at technology centers, and \$1,500 for the need-

based supplemental awards.

- Extends enrollment period to 16 months after graduation.
- Effective July 1, 2007 GPA's will be determined on a weighted grading scale.
- Provides a second chance for students that fail to meet academic requirements to maintain the scholarship. Students who lose the scholarship a second time may not regain it a third time.
- Allows any HOPE scholarship eligible student who chooses to attend a regionally accredited out-of-state post-secondary institution to transfer to an eligible in-state post-secondary institution and receive HOPE scholarship.
- Permits students to repeat one course one time and count the highest grade of the course attempts when computing cumulative grade point averages.
- Establishes eligibility criteria for non-traditional students - Tennessee residents, 25 years of age or older, and have an adjusted gross income that does not exceed \$36,000.
- Establishes grants for high school students who are dually enrolled in high school and college courses to receive college credit.
- Expands program to include children in foster care that meet the academic requirements for the HOPE scholarship or access grant. Provides funds to cover costs of tuition, fees, room and board after applying all other student financial assistance from all sources towards the students' cost of attendance.
- Expands the residency criteria to students whose parents are called out-of-state because of their military service.
- Renames the supplemental need-based scholarship as the ASPIRE Scholarship.
- Extends the program to include students attending O'More College of Design.
- Establishes an outreach program to inform students and their parents about financial assistance that is available.

SB 1315 McNally, et al./HB 1532 Winningham, et al.

<http://www.legislature.state.tn.us/bills/currentga/Chapter/PC0481.pdf>