

2012insurancebills**SB1134 / HB143 Insurance required for owners of dangerous and vicious dogs.****Category** Animals & Animal Husbandry**Sponsors** Sen. Beverly Marrero / Rep. G.A. Hardaway**Description** Requires that owners of vicious or dangerous dogs obtain minimum insurance coverage of \$25,000 within 60 days of knowing or having reason to know the dog is dangerous to insure the owner from liability for any injuries inflicted by the dog. Specifies which characteristics and under what circumstances a dog is considered dangerous or vicious.**Senate Status** 02/28/2011 - Referred to Senate Judiciary.**House Status** 04/06/2011 - Taken off notice in House Agriculture Subcommittee.**SB540 / HB1251 TN Administrative License Revocation Act.****Category** Transportation Vehicles**Sponsors** Sen. Randy McNally / Rep. Jimmy Matlock**Description** Authorizes a law enforcement officer charging an individual with driving under the influence and various other crimes involving driving while intoxicated to take possession of the individual's driver's license issued by this state if they test positive for specified alcohol levels, refuse to submit to testing or have submitted to a chemical blood test. Requires a person submitting to a chemical blood test to be issued an interim permit valid for 90 days and requires officers to issue a notice of proposed revocation and request for a hearing to those who tested positive or refused a blood alcohol exam. Requires officers to report specified information to the department within a specified time to be used as prima facie evidence in an administrative hearing. Authorizes the department to conduct hearings to determine if a person's license shall be revoked and provides numerous guidelines regarding evidence, court dates, appeal, written opinions, waiver of right to a hearing, judicial review, notice, and appearance of parties that must be complied with during the administrative process. Grants the person charged the right to petition for stay or reconsideration of the order as well as petition for judicial review in the Davidson county chancery court. Limits revocation periods from three months to one year and requires they run concurrently with any other revocations based on the same occurrence. Provides for procedures to facilitate the return of a persons revoked license who has been acquitted during criminal trial, has had the case dismissed or has entered into a plea agreement, as well as requiring the revocation be removed from the persons driving record. Allows an officer anywhere from 90 to 120 days, dependent on the charge, to file the charges related to the revocation or the driver may request the administrative process cease and their driver's license returned. Allows persons charged to apply for a restricted license based on specified circumstances and driver history. Sets requirements for a person to have their license reinstated following revocation including fees, proof of insurance, and evidence of financial responsibility. (19 pp.)**Senate Status** 04/26/2011 - Taken off notice in Senate Judiciary.**House Status** 04/12/2011 - House General Subcommittee of Judiciary deferred to 4/20/11.**SB1204 / HB770 Rules and regulations for automobile clubs and associations.****Category** Transportation Vehicles**Sponsors** Sen. Ken Yager / Rep. Judd Matheny**Description** Allows the commissioner of the department of commerce and insurance to promulgate rules and regulations pertaining to automobile clubs and associations.**Senate Status** 02/28/2011 - Referred to Senate Transportation.**House Status** 04/05/2011 - Taken off notice in House General Subcommittee of Transportation**HB2193 Unemployment compensation - disqualification for benefits.**

Category Taxes Unemployment

Sponsors Rep. Curtis G. Johnson

Description Makes ineligible for benefits a claimant who was discharged from his or her most recent job because he or she failed to meet a written agreement to obtain a license or certification by a specified date.

Senate Status None

House Status 01/10/2012 - Introduced in the House.

SB1364 / HB1382 Renewal of contractor license.

Category Professions & Licensure

Sponsors Sen. Lowe Finney / Rep. Craig Fitzhugh

Description Specifies that renewal of contractor license must be performed at least 30 days prior to expiration. Broadly captioned.

Senate Status 04/19/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 03/02/2011 - Referred to House Commerce.

SB1349 / HB1868 Civil procedure - receipt of notice by insured's spouse.

Category Insurance Health

Sponsors Sen. Jim Summerville / Rep. David Shepard

Description Permits a dependent spouse to acknowledge receipt of notice by written acknowledgement if not as provided under the Tennessee Rules of Civil Procedure.

Senate Status 04/13/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 02/24/2011 - Referred to House Commerce.

SB1466 / HB1673 Riding of motorcycle without helmet.

Category Transportation Vehicles

Sponsors Sen. Doug Overbey / Rep. Judd Matheny

Description Allows persons who are 21 years of age and who possess proof of comprehensive medical coverage providing at least \$15,000 in medical benefits for injuries from a crash to ride a motorcycle without a helmet.

Senate Status 01/12/2012 - Set for Senate Transportation & Safety Committee 01/18/12.

House Status 04/12/2011 - House General Subcommittee of Transportation deferred to summer study.

SB2478 / HB2170 Commissioner required to purchase uniform liability policy.

Category Education

Sponsors Sen. Jack Johnson / Rep. Charles M. Sargent

Description Requires the Commissioner of Education to purchase a uniform liability policy with minimum coverage in specified areas for the benefit of professional employees, to be acquired upon review and approval by the Commissioner of Finance and Administration.

Senate Status 01/17/2012 - Senate companion bill introduced. (S:)

House Status 01/10/2012 - Introduced in the House.

SB2141 Limits joint & several liability in comparative fault cases.

Category Tort Liability

Sponsors Sen. Brian K. Kelsey

Description Bars the use of joint and several liability for allocating damages in cases where separate, independent acts of more than one tortfeasor cause an indivisible injury or cases in which the injury caused by the original tortfeasor is enhanced by a third party rendering aid. Provides that joint and several liability will remain in effect in cases involving the family purpose doctrine. Requires the trier of fact to consider all parties who contributed to the alleged injury or property damage when assessing percentages of fault, including non-parties and parties immune from suit. Provides that in cases governed by worker's compensation law a party immune from suit may not be considered by the trier of fact in allocating fault.

Senate Status 01/12/2012 - Referred to Senate Judiciary.
House Status *None*

SB2142 Landowner owes no duty of care to trespassers.

Category Tort Liability

Sponsors Sen. Brian K. Kelsey

Description Provides that a landowner owes no duty of care to trespassers and is not subject to civil liability for any injury, property damage, or death suffered by a trespasser while on the landowner's land. Lists circumstances under which a landowner is subject to liability for any injury, death, or property damage suffered by a trespasser based off conditions such as age of the trespasser, intent or reasonable care of the landowner, the degree of danger of the landowner's activity, or a failure to warn. Provides a business owner will not be liable for injuries to a person on the business property caused by criminal conduct of a third party.

Senate Status 01/12/2012 - Referred to Senate Judiciary.

House Status *None*

HB2179 Education commissioner to purchase liability policy.

Category Education

Sponsors Rep. Gerald McCormick

Description Requires the commissioner of education to purchase a uniform liability policy for the benefit of all professional employees. Requires the policy be approved by the commissioner of finance and administration. Sets specified minimum coverage requirements for the policy obtained.

Senate Status *None*

House Status 01/10/2012 - Introduced in the House.

SB2149 / HB2238 Local law on health benefits & wages cannot vary from state.

Category Local Government

Sponsors Sen. Brian K. Kelsey / Rep. Glen Casada

Description Prohibits local government from imposing or mandating, through any form of regulation, the provision of health insurance benefits, minimum wage, or family leave requirements that vary from state imposed requirements. Exempts employees of local governments from this provision. Renders null and void any current regulation in violation of this provision, but preserves any violating contracts entered into prior to the effective date of this act.

Senate Status 01/12/2012 - Referred to Senate State & Local Government.

House Status 01/10/2012 - Introduced in the House.

SB2151 / HB2192 Landowner not liable for recreation land use without charge.

Category Tort Liability

Sponsors Sen. Bill Ketron / Rep. Pat Marsh

Description Rewrites the statute regarding a landowner's duty of care to persons on the land for recreational purposes. Provides that a landowner has no duty of care to keep the land safe for recreational activities or warn of hazardous conditions to those granted permission to use the land without charge. Lists exceptions under which a landowner owes a duty of care to persons invited on the land for recreational activities including circumstances of gross negligence by the owner, the landowner charges or extends the invitation for commercial benefit, or an attractive nuisance is present on the land. Provides that a landowner granting permission to use land for recreational purposes does not assure the land is safe or assume responsibility for damage or injury. Exempts a landowner from any liability for death or injury caused during recreational use of the land permitted by a lessee or occupant, unless the owner has reason to know of such use and fails to make a good faith attempt to prevent it.

Senate Status 01/12/2012 - Referred to Senate Judiciary.

House Status 01/10/2012 - Introduced in the House.

SB2468 / HB2197 Liability insurance for persons with two or more DUI's.

Category Transportation Vehicles

Sponsors Sen. Randy McNally / Rep. Julia Hurley

Description Requires a person with two or more DUI convictions, after January 1, 2013, to maintain twice the amount of liability insurance, deposit of cash, or bond filed with the commissioner of safety in order to comply with financial responsibility laws. or bond filed with the commissioner of safety in order to comply with financial responsibility laws. - Amends TCA Title 55.

Senate Status 01/13/2012 - Senate companion bill introduced. (S: McNally)

House Status 01/10/2012 - Introduced in the House.

SB2372 / HB2199 Reduction in premiums for certain insurance policy renewals.

Category Insurance General

Sponsors Sen. Beverly Marrero / Rep. Antonio Parkinson

Description Requires all contracts of insurance issued for delivery in Tennessee after July 1, 2012, to provide for a 10 percent premium reduction for any renewed insurance policy that has not had any claims filed against such policy that resulted in payment by the insurance company for the previous year.

Senate Status 01/13/2012 - Introduced in the Senate

House Status 01/10/2012 - Introduced in the House.

HB2207 Registration of trailers used in business.

Category Transportation Vehicles

Sponsors Rep. Debra Young Maggart

Description Clarifies that trailers used in the furtherance of a business are required to be registered.

Senate Status None

House Status 01/10/2012 - Introduced in the House.

HB2203 Demolition of vehicles without title.

Category Transportation Vehicles

Sponsors Rep. Antonio Parkinson

Description Requires demolishers to contact the local law enforcement agency to determine if a motor vehicle has been stolen when purchasing or acquiring a motor vehicle where the demolisher does not also acquire the certificate of title, auction sales receipt, or certificate of authority for disposal of the motor vehicle. present with a certificate of title, auction sales receipt, or certificate of authority to demolish. - Amends TCA Title 39 and Title 55, Chapter 16.

Senate Status None

House Status 01/10/2012 - Introduced in the House.

HB2202 Representation of indigent claimants.

Category Workers Compensation

Sponsors Rep. Antonio Parkinson

Description Requires the commissioner of labor and workforce development to appoint a department attorney to any indigent claimant in an unemployment benefit appeal upon request when an employer is represented by counsel at appeal. Provides that the employer will pay the costs of a claimant's legal representation if the claimant prevails, otherwise cost comes from the department's existing resources. Broadly captioned.

Senate Status None

House Status 01/10/2012 - Introduced in the House.

SB2160 / HB2460 Gifts to general assembly members.

Category Campaigns & Lobbying

Sponsors Sen. Stacey Campfield / Rep. Julia Hurley

Description Prohibits gifts to a member of the general assembly, the value of which exceeds \$50.00, and which is also made available to the general public. Provides that the \$50.00 limitation will increase to the nearest \$1.00 amount to reflect the percentage of change in the average consumer price index.

Senate Status 01/12/2012 - Referred to Senate State & Local Government.

House Status 01/11/2012 - House companion bill introduced. (H: Hurley)

SB2469 / HB2217 Tractor trailers to have sign on rear identifying owner.

Category Transportation Vehicles

Sponsors Sen. Randy McNally / Rep. Julia Hurley

Description Requires all tractor trailers and tractor-semitrailer combinations to have a sign or placard on the rear of the vehicle identifying the owner and the owner's business phone. Specifies that a violation is a Class C misdemeanor, subject to a fine only.

Senate Status 01/13/2012 - Senate companion bill introduced. (S: McNally)

House Status 01/10/2012 - Introduced in the House.

SB2373 / HB2282 Issuance of certificates of insurance.

Category Insurance General

Sponsors Sen. Jim Tracy / Rep. Charles M. Sargent

Description State Summary: As introduced, creates requirements for issuance of certificates of insurance; clarifies the effect of such certificates; and authorizes oversight by the commissioner of commerce and insurance regarding regulation and assessing fines in relation thereto. - Amends TCA Title 56.

Senate Status 01/13/2012 - Introduced in the Senate

House Status 01/10/2012 - Introduced in the House.

HB2283 Unclaimed Life Insurance Benefits Act.

Category Insurance General

Sponsors Rep. Charles Curtiss

Description State Summary: As introduced, enacts the NCOIL model "Unclaimed Life Insurance Benefits Act." - Amends TCA Title 56 and Title 66, Chapter 29.

Senate Status *None*

House Status 01/10/2012 - Introduced in the House.

HB2300 Preexisting condition exclusions.

Category Insurance Health

Sponsors Rep. Craig Fitzhugh

Description State Summary: As introduced, revises statutes concerning preexisting condition exclusions to be consistent with federal law. - Amends TCA Title 56.

Senate Status *None*

House Status *None*

HJR526 Online database for auto insurance.

Category Transportation Vehicles

Sponsors Rep. G.A. Hardaway

Description Directs department of safety to conduct a feasibility study of an online database of persons who have automobile insurance.

Senate Status *None*

House Status *None*

HB2320 Termination of health insurance for dependant children.

Category Insurance Health

Sponsors Rep. Craig Fitzhugh

Description State Summary: As introduced, changes age for termination of health insurance

coverage for dependents from 24 to 26. - Amends TCA Title 56, Chapter 7.

Senate Status *None*

House Status *None*

SB2193 Working in proximity to high-voltage lines.

Category Workers Compensation

Sponsors Sen. Steve Southerland

Description State Summary: As introduced, transfers Title 68, Chapter 103, relative to working in proximity to high-voltage lines, into Title 50, Chapter 3, relative to the Occupational Health and Safety Act, effective July 1, 2012. - Amends TCA Title 50 and Title 68, Chapter 103.

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2212 / HB2350 State insurance plans not subject to certain regulation.

Category Government Organization

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description State Summary: As introduced, specifies that state insurance plans are not subject to regulation by the department of commerce and insurance or subject to the jurisdiction of the department of health and that no such plan is subject to the insurance laws of this state in Title 56 unless otherwise specifically stated. - Amends TCA Title 8, Chapter 27. (Part of Administration Package)

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2202 / HB2340 Deposit of securities in clearing corporation.

Category Insurance General

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description State Summary: As introduced, revises provisions governing deposit of securities in clearing corporation. - Amends TCA Title 56, Chapter 2 and Title 56, Chapter 3. (Part of Administration Package)

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

Note Farm Bureau bill

SB2201 / HB2339 Reciprocity with other states' confidentiality requirements.

Category Insurance General

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description State Summary: As introduced, revises provisions governing the department's reciprocity with other states confidentiality requirements and confidentiality of NAIC information; adds to the definition of "company action level event" under the Risk-Based Capital for Insurers Act. - Amends TCA Title 56, Chapter 2; Title 56, Chapter 22; Title 56, Chapter 44 and Title 56, Chapter 44. (Part of Administration Package)

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2228 / HB2366 Recovering benefit overpayments.

Category Labor Law

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description State Summary: As introduced, allows the set off of covered unemployment compensation debt under certain circumstances; revises other provisions regarding recovering benefit overpayments. - Amends TCA Section 50-7-303(d)(3)(B); Section 50-7-304(b)(2); Section 50-7-501 and Section 50-7-715. (Part of Administration Package)

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2236 / HB2374 Requirements for motor vehicle accident reports.

Category Transportation Vehicles

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description State Summary: As introduced, removes the requirement that certain accident reports be in writing; revises other various provisions governing motor vehicle accident reports. - Amends TCA Title 55, Chapter 10. (Part of Administration Package)

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2238 / HB2376 Documents needed for reinstatement of driver license.

Category Transportation Vehicles

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description State Summary: As introduced, establishes that the submission of certain documents is considered compliance with certain requirements for reinstatement of driver license. - Amends TCA Section 55-50-321(c). (Part of Administration Package)

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2239 / HB2377 TN Small Employer Group Health Coverage Reform Act.

Category Insurance Health

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description State Summary: As introduced, adds as a purpose under the Tennessee Small Employer Group Health Coverage Reform Act the promotion of the health and wellness of the citizens of this state. - Amends TCA Title 56. (Part of Administration Package)

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2271 / HB2454 Requirements for issuance of certificates of insurance.

Category Insurance General

Sponsors Sen. Jim Tracy / Rep. Charles M. Sargent

Description State Summary: As introduced, creates requirements for issuance of certificates of insurance; clarifies the effect of such certificates; and authorizes oversight by the commissioner of commerce and insurance regarding regulation and assessing fines in relation thereto. - Amends TCA Title 56.

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

SB2292 / HB2439 Permits police, clerks to verify insurance electronically.

Category Transportation Vehicles

Sponsors Sen. Bo Watson / Rep. Vince Dean

Description State Summary: As introduced, allows law enforcement and county clerks to electronically verify insurance status of any vehicle; provides that a valid insurance coverage indicator on the vehicle's electronic record shall be acceptable evidence of insurance in lieu of an officer requesting other types of evidence; prohibits issuance or renewal of title or registration unless insurance coverage is electronically verified. - Amends TCA Title 55, Chapter 12; Title 55, Chapter 3; Title 55, Chapter 4 and Title 56.

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status *None*

HB2442 Bonding company owners must have writing experience.

Category Professions & Licensure

Sponsors Rep. Vince Dean

Description Adds to the current law requirement that a person applying to own a bonding company have two years experience with a professional bonding company in good standing to require that such experience be as a full-time qualified agent writing bail in this state for a Tennessee professional bonding company in good standing.

Senate Status *None*

House Status *None*

SB2331 / HB2515 Interstate earthquake compact of 1988 - sunset.

Category Government Organization

Sponsors Sen. Mike Bell

Description Sunsets the interstate earthquake compact on June 30, 2017.

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status 01/12/2012 - House companion bill introduced. (H:)

SB2320 / HB2533 Tennessee life and health insurance guaranty assn - sunset.

Category Government Organization

Sponsors Sen. Mike Bell / Rep. Jim Cobb

Description Extends the Tennessee life and health insurance guaranty association on June 30, 2017.

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status 01/12/2012 - House companion bill introduced. (H:)

SB2319 / HB2510 Interstate Insurance Product Regulation Compact of 2007.

Category Government Organization

Sponsors Sen. Mike Bell

Description Extends the Interstate Insurance Product Regulation Compact of 2007 on June 30, 2017.

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status 01/12/2012 - House companion bill introduced. (H:)

SB2318 / HB2527 Advisory council on workers compensation - sunset.

Category Government Organization

Sponsors Sen. Mike Bell

Description Extends the advisory council on workers' compensation on June 30, 2014.

Senate Status 01/12/2012 - Introduced in the Senate 01/12/2012

House Status 01/12/2012 - House companion bill introduced. (H:)

SB2350 / HB2466 Unlicensed, uninsured motorists - requirement for arrest.

Category Criminal Law

Sponsors Sen. Mae Beavers / Rep. Joe Carr

Description State Summary: As introduced, requires an officer to arrest drivers involved in accidents resulting in serious bodily injury or death when such drivers lack a valid driver license and evidence of financial responsibility; prohibits the issuance of a citation in lieu of arrest in such circumstances. - Amends TCA Title 39; Title 40; Title 55, Chapter 10; Title 55, Chapter 12; Title 55, Chapter 50 and Title 55, Chapter 8.

Senate Status 01/13/2012 - Introduced in the Senate

House Status *None*

SB2467 / HB2498 Financial responsibility imposed for DUI, nonresidents.

Category Criminal Law

Sponsors Sen. Randy McNally / Rep. Julia Hurley

Description State Summary: As introduced, imposes certain financial responsibility requirements on drivers charged with DUI and on nonresidents. - Amends TCA

Title 55.
Senate Status 01/13/2012 - Senate companion bill introduced. (S: McNally)
House Status *None*

HB2497 Health insurance offered in other states permitted in TN.

Category Insurance Health
Sponsors Rep. Glen Casada
Description State Summary: As introduced, authorizes insurers to offer individuals health insurance policies in Tennessee that have been approved for issuance in other states. - Amends TCA Title 56.
Senate Status *None*
House Status *None*

HB2608 Bonding of scrap jewelry and metal dealers.

Category Banking & Credit
Sponsors Rep. Kevin Brooks
Description State Summary: As introduced, requires certain pawnbrokers and scrap jewelry and metal dealers to be bonded. - Amends TCA Title 38 and Title 45.
Senate Status *None*
House Status *None*

HB2602 Accident reports - damage in excess of \$400.

Category Transportation Vehicles
Sponsors Rep. Vance Dennis
Description State Summary: As introduced, deletes provision that requires accident report if a person is injured or killed or the amount of damage is in excess of \$400 - Amends TCA Section 55-12-104.
Senate Status *None*
House Status *None*

HB2622 Liability insurance requirements for motor carriers.

Category Transportation Vehicles
Sponsors Rep. Charles M. Sargent
Description State Summary: As introduced, directs the department of safety to ensure the liability insurance requirements are equally applied to all motor carriers. - Amends TCA Title 5, Chapter 8; Title 7, Chapter 51; Title 55, Chapter 4; Title 55, Chapter 3; Title 56, Chapter 7; Title 65, Chapter 15 and Title 67, Chapter 4.
Senate Status *None*
House Status *None*
