



INSIDE POLITICS

GNHA Hospitality Political News - April 7, 2023

Bills of interest:

Sports Authority Board
appointing powers

Airport Authority Board
appointing powers

Elected members of
governing body of a
metropolitan or municipal
government capped

Defining how the
Convention Center can
spend their dollars

Titans Vote:

The City Council was slated to vote on the Titans deal this past Tuesday. Several attempts to add amendments failed but one succeeded which later in the evening was determined to be detrimental to the deal between the city and the team. Upon realizing the challenge, council chose to defer voting until April 18th, 2023. This is also the day the Council will take up a vote on the new district maps.



Historic Week:

This week has been extremely historic and emotions are running high. 3 members were up for expulsion and 2 were expelled. Justin Jones from Nashville and Justin Pearson from Memphis were expelled for disrupting activities on the House floor. Nashville City Council (Jones) and Shelby County Commission (Pearson) are the bodies that have the power to replace these members. Nashville City Council has stated they will likely choose Justin Jones to replace himself which will further the discourse. Several of the bills we have been tracking are still in the legislative process and could be impacted by this fallout. Lodging tax legislation, Airport Authority and Sport's Authority legislation bills are still actively moving through the legislature and are likely to be impacted. We will be watching these bills closely.

Mayor's Race - Current Status

Nashville will have its fourth mayor in 5 1/2 years due to Mayor Cooper's decision not to run for re-election.

Candidates who have announced their intent to run:

Senator Jeff Yarbrow - Jeff holds the State Senate district 21 and represents 1/3 of Davidson county at the State Legislature

Sharon Hurt, At-large Metro Councilwoman

Natasha Brooks-educator and former congressional candidate

Fran Bush-former school board member

Quincy McKnight-payment management executive

Metro Councilman Freddie O'Connell - whose district includes downtown and part of Midtown

Matt Wiltshire - was economic development chief for Nashville's three previous mayors and most recently was an official at the Metropolitan Development and Housing Agency.

Jim Gingrich - the former chief operating officer of global investment manager AllianceBernstein (NYSE: AB)

Alice Rolli - a former aide to Gov. Bill Haslam and campaign manager for Sen. Lamar Alexander

Bernie Cox - candidate for mayor in 2019

Others may still enter the race. The deadline to include a name as candidate is May 18 for the August 3 election.

HEADER: The following bills were added to the calendar by suspension of the rules on the House Floor on 04/06/23: HB566, HB942, HB1317, HB348, HB1380. MEMBERS: CHAIR J. Ragan (R); VICE CHAIR J. Reedy (R); G. Bulso (R); K. Camper (D); D. Carr (R); J. Chism (D); J. Clemmons (D); J. Crawford (R); R. Eldridge (R); J. Faison (R); Y. Hakeem (D); C. Hemmer (D); J. Jones (D); K. Keisling (R); S. Kumar (R); J. Lafferty (R); W. Lamberth (R); M. Littleton (R); P. Marsh (R); G. Martin (R); J. McCallister (R);

2. **HB1197** **GOVERNMENT ORGANIZATION: Reconstitutes boards of directors for sports authorities in certain counties.** Reconstitutes boards of directors for sports authorities in certain counties having a metropolitan form of government. Broadly captioned. **Amendment Summary:** Senate State & Local Government Committee amendment 1, House Local Government Committee amendment 1 (006590) vacates and reconstitutes the board of directors (Board) for the Metropolitan Sports Authority (Authority) of Nashville, effective January 1, 2024. Requires the seven longest-standing directors as of June 30, 2023, to be reappointed and to serve the remainder of their existing terms. **Fiscal Note:** (Dated February 15, 2023) NOT SIGNIFICANT
SB1335 - P. Bailey - 03/29/23 - Senate State & Local Government Committee recommended with amendment (006590). Sent to Senate Calendar Committee.

Mon 4/10/23 4:00pm - Senate Chamber, Senate Floor

29. **SB1452** **ALCOHOLIC BEVERAGES: City of McEwen - referendum to authorize manufacture, sale, and distribution of alcohol.** Authorizes the City of McEwen and municipalities in Henry, Benton, Meigs, Grainger, and Hardeman counties to hold a referendum to authorize the manufacture, receipt, sale, storage, transportation, distribution, and possession of alcoholic beverages within the territorial limits of the respective city. **Fiscal Note:** (Dated February 9, 2023) NOT SIGNIFICANT
HB44 - J. Reedy - 03/13/23 - House passed.

Mon 4/10/23 4:00pm - Senate Chamber, Senate Message

2. **SB649**
Johnson J.

TRANSPORTATION VEHICLES: Installation of vehicle immobilization device. Prohibits a person from knowingly installing a vehicle immobilization device on a motor vehicle parked on private property in this state. Broadly captioned. **Amendment Summary:** Senate amendment 1 (004385) rewrites this bill to enact the "Booting Consumer Protection Act," as described below. This amendment provides that a person engaged in the business of installing a mechanical device that is designed or adapted to be attached to a wheel, tire, or other part of a parked motor vehicle to prohibit the vehicle's usual manner of movement or operation ("device") on motor vehicles in this state must accept credit cards and debit cards as methods of payment for the removal of a device. However, this provision does not prohibit a person engaged in this business from accepting cash or other methods of payment if the individual making such payment, in that individual's sole discretion, elects to use such alternative payment method. If the individual who is requesting removal of the device elects to make the payment by credit card or debit card, and the payment cannot be completed by that method without undue delay at the site where the vehicle is located and an optional online payment method is either unavailable or has been refused by the individual, then the person engaged in the business of installing devices must remove the device and issue a billing invoice for payment due to the individual who is requesting the removal, if the individual provides a valid form of identification or by mail to the registered owner of the vehicle. This amendment prohibits a person who engages in the business of installing devices from charging a fee to accept payment by credit card or debit card, but authorizes the person to offer an alternative online payment service as an optional payment method. If the individual who is making payment for the removal of the device elects, in that individual's sole discretion, to use the optional online payment method, then the provider of the online payment service may charge a 3 percent convenience fee. This provision supersedes all local ordinances, rules, or other enactments to the contrary. This amendment prohibits a person engaged in this business from charging more than \$75 to remove a device. However, the cost of removal may increase by increments of \$75 for each 24-hour period that the vehicle remains immobilized. This amendment prohibits a person engaged in this business from contracting for or engaging the services of an independent contractor to install or remove devices or compensating employees on a commission basis. This amendment requires a person engaged in this business to only utilize for the work of installing and removing such devices those individuals for whose compensation for the work performed the person is required to file a W-2 wage and tax statement with the federal internal revenue service. If a device is placed on a vehicle that is parked on private property for failure to pay the required parking charge, then the owner or operator of the private property may require the owner of the vehicle to pay the applicable device removal fee, plus all unpaid parking fines and fees in order to have the device removed. This provision supersedes all local ordinances, rules, or other enactments to the contrary. This amendment prohibits a person engaged in this business from installing a device on a motor vehicle if the motor vehicle is located on a property that does not have a sign posted on the property in a manner that complies with the requirements described below. An owner, lessee, or other person, who has control of a property for which an enforceable agreement exists with a person engaged in the business of installing devices to provide parking enforcement services by installing devices on motor vehicles on that property, must post signage in a conspicuous location on the property bearing notice of the following: (1) That the property's parking policy is strictly enforced; (2) That a violator's vehicle will be immobilized with a device at the vehicle owner's expense; (3) That there is a maximum \$75 per day device fee; (4) The name and phone number of the authorized device operator; and (5) That consumers are protected from violations of this bill and that violations may be reported to the attorney general. This amendment also specifies that the sign must be no less than 24" in height and 18" in width and contain lettering that is no less than two inches in height. It must be located at each designated entrance to the property where parking prohibitions are to be effective or if there is no designated entrance, be erected so as to be clearly visible from each parking space. If, on July 1, 2023, a property has existing posted signage that contains the notice required by the specifications above, then the signage is considered to comply and is exempt from these specifications if the notice required is permanently affixed adjacent to the existing signage. However, new or replacement signage installed on or after July 1, 2023, must comply with all the specifications under this amendment. A violation under this act constitutes a violation of the Tennessee Consumer Protection Act of 1977, and is subject to the penalties and remedies provided in such Act, in addition to the penalties and remedies set forth in this bill. If the attorney general has reason to believe that a person has violated this bill, then the attorney general is authorized to institute a proceeding under this bill. If an authorized device operator is found to have violated this bill, with the judgment being final and the operator having no opportunity for an appeal remaining, then the attorney general must send notice of such violation to each municipality, public corporation, body politic, authority, district, metropolitan government, county, or an agency, department, or board of such entities ("political subdivision") that has authorized the operator to operate within its jurisdictional area. Upon the receipt of notice from the attorney general of a violation that constitutes a third violation under this bill by an operator, a political subdivision must permanently revoke the operator's authorization to engage in the business of installing devices within the jurisdictional area of the political subdivision. This bill applies to prohibited conduct occurring on or after July 1, 2023. House amendment 1 (005820) incorporates the provisions of Senate Amendment 1 with various clarifying grammatical changes and removes the \$75.00 limit on boot removal fees. **Fiscal Note:** (Dated February 15, 2023) Other Fiscal Impact Due to multiple unknown factors, the extent and timing of any

Tue 4/11/23 1:30pm - House Hearing Rm I, House Local Government Committee

HEADER: Final Calendar. MEMBERS: CHAIR J. Crawford (R); VICE CHAIR D. Wright (R); R. Alexander (R); J. Burkhart (R); D. Carr (R); C. Doggett (R); M. Hale (R); E. Helton-Haynes (R); J. Holsclaw, Jr. (R); H. Love Jr. (D); G. Martin (R); S. McKenzie (D); L. Miller (D); J. Moon (R); K. Raper (R); J. Reedy (R); T. Rudd (R); J. Shaw (D); W. Slater (R); R. Stevens (R); D. Thompson (D)

6. **HB468** **TAXES GENERAL: Time required to keep and preserve tax collection records.** Extends from three years to five years, the amount of time that a metropolitan government tax collection official must keep and preserve tax collection records. Broadly captioned. **Amendment Summary:** House Property & Planning Subcommittee amendment 1 (006293) allows the proceeds from a tax levied upon the occupancy of a short-term rental unit secured through a short-term rental unit marketplace that is distributed to the metropolitan government by the department of revenue, may be deposited into an account created by the metropolitan government pursuant to an ordinance and used exclusively for promoting affordable housing for residents of limited means within the county with the remaining proceeds must be used as otherwise provided by law. Senate State & Local Committee amendment 1 (006680) authorizes all or a portion of the proceeds from a tax upon the occupancy of a short-term rental unit secured through a short-term rental unit marketplace to be deposited into an account created by the metropolitan government and used exclusively for promoting affordable housing for residents of limited means. **Fiscal Note:** (Dated January 27, 2023) NOT SIGNIFICANT
SB1050 - J. Yarbro - 03/29/23 - Senate State & Local Government Committee recommended with amendment 1 (006680). Sent to Senate Calendar Committee
7. **HB471** **LOCAL GOVERNMENT: Annual report on tourist development zone.** Authorizes a municipality or public authority in which a tourism development zone is located to file with the commissioner of finance and administration and the state building commission its annual report concerning the zone in an electronic format. Broadly captioned. **Amendment Summary:** House Property & Planning Subcommittee amendment 1 (003781) enacts the Tennessee Landowner Bill of Rights which expands the rights and ownership of private property within reasonable means. Limits the regulatory power of the municipal government's approval authority over private property. Allows for more economic and investment expansion through decreased regulatory oversight. **Fiscal Note:** (Dated January 27, 2023) NOT SIGNIFICANT
SB513 - J. Lundberg - 03/28/23 - Senate State & Local Government Committee deferred to 2024.

Tue 4/11/23 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee

MEMBERS: CHAIR P. Hazlewood (R); VICE CHAIR C. Baum (R); J. Barrett (R); C. Boyd (R); S. Campbell (R); K. Camper (D); M. Cochran (R); J. Crawford (R); J. Faison (R); B. Freeman (D); R. Gant (R); J. Garrett (R); D. Hawk (R); G. Hicks (R); K. Keisling (R); W. Lamberth (R); H. Love Jr. (D); S. Lynn (R); S. McKenzie (D); L. Miller (D); J. Moon (R); A. Parkinson (D); J. Shaw (D); M. Sparks (R); S. Whitson (R); R. Williams (R); J. Zachary (R)

1. **HB1176** **GOVERNMENT ORGANIZATION: Airport authority board of commissioners.** Vacates and reconstitutes the board of commissioners for an airport authority in a county having a metropolitan form of government. Adds the governor and speakers of the general assembly as appointing authorities for board positions currently held by the executive officer of the local government. Broadly captioned. **Amendment Summary:** House Transportation Committee amendment 1 (004395) vacates and reconstitutes the board of commissioners (Board) for the Metropolitan Nashville Airport Authority (Authority). Requires the Authority to appoint an independent financial auditing firm and the following additional officers: secretary, chief financial officer, general counsel, and chief operating officer. Establishes various reporting requirements for the Authority. Requires the Authority to regulate airport hazards in Davidson County by submitting a map to the county or to an applicable contiguous county that requires the review of building permits within the designated boundaries. Authorizes the Authority to modify, change in the use, sell, or lease any street or other public way, ground, place or space, or public utility whether publicly or privately owned; provided that the Authority owns all of the real property abutting such property or public utility or the portions thereon that are to be modified, sold, or leased. Requires the Authority, when acquiring land through eminent domain, to follow the proceedings for eminent domain under current law. Senate amendment 2 (005789) vacates and reconstitutes the board of commissioners (Board) for the Metropolitan Nashville Airport Authority (Authority). Requires the Authority to appoint an independent financial auditing firm and the following additional officers: secretary, chief financial officer, general counsel, and chief operating officer. Establishes various reporting requirements for the Authority. Requires the Authority to regulate airport hazards in Davidson County by submitting a map to the county or to an applicable contiguous county that requires the review of building permits within the designated boundaries. Authorizes the Authority to modify, change in the use, sell, or lease any street or other public way, ground, place or space, or public utility whether publicly or privately owned; provided that the Authority owns all of the real property abutting such property or public utility or the portions thereon that are to be modified, sold, or leased. Requires the Authority, when acquiring land through eminent domain, to follow the proceedings for eminent domain under current law. Senate amendment 3 (006023) corrects the spelling of navigation in the language. **Fiscal Note:** (Dated February 17, 2023) NOT SIGNIFICANT
SB1326, R. Bailey, 02/10/23, Senate passed with amendment 2 (005789) and amendment 3 (006023)

Tue 4/11/23 4:30pm - House Hearing Rm III, House Criminal Justice Committee

HEADER: Final Calendar. MEMBERS: CHAIR B. Hulse (R); VICE CHAIR J. Gillespie (R); S. Campbell (R); M. Carringer (R); E. Davis (R); C. Doggett (R); A. Farmer (R); M. Fritts (R); R. Glynn (D); G. Hardaway (D); D. Howell (R); G. Johnson (D); W. Lamberth (R); D. Moody (R); L. Russell (R); P. Sherrell (R); J. Towns Jr. (D)

11. **HB764**
Davis E.

CRIMINAL LAW: Abolishes community oversight boards and creates police advisory and review committees. Abolishes community oversight boards and authorizes municipalities to create police advisory and review committees to ensure the timely, fair, and objective review of citizen complaints and to make recommendations concerning such complaints. Specifies membership, appointment process, and terms for members of police advisory and review committees. **Amendment Summary:** Senate amendment 1, House Criminal Justice Subcommittee amendment 1 (006990) authorizes a municipal governing body to create a police advisory and review committee (committee) upon adoption of an ordinance by a two-thirds vote at two separate meetings. Establishes the composition, authorities, and operational framework for such committees, including that no member of the committee is entitled to compensation. Requires a local governing body that created a police advisory and review committee, community oversight board, or other similar police oversight body prior to July 1, 2023 to comply with the requirements of the proposed legislation regarding any such bodies within 90 days. Establishes that any such body that does not conform to the requirements of the proposed legislation within 90 days is terminated. **Fiscal Note:** (Dated March 10, 2023) Other Fiscal Impact There may be a mandatory decrease in local expenditures of an unknown amount in FY23-24 and subsequent years. To the extent that any municipal governing body elects to create a committee, the relevant municipality will realize a permissive increase in expenditures for which the amount and timing are unknown.

SB591 - M. Pody - 04/06/23 - Senate passed with amendment 1 (006990), which authorizes a municipal governing body to create a police advisory and review committee (committee) upon adoption of an ordinance by a two-thirds vote at two separate meetings. Establishes the composition, authorities, and operational framework for such committees, including that no member of the committee is entitled to compensation. Requires a local governing body that created a police advisory and review committee, community oversight board, or other similar police oversight body prior to July 1, 2023 to comply with the requirements of the proposed legislation regarding any such bodies within 90 days. Establishes that any such body that does not conform to the requirements of the proposed legislation within 90 days is