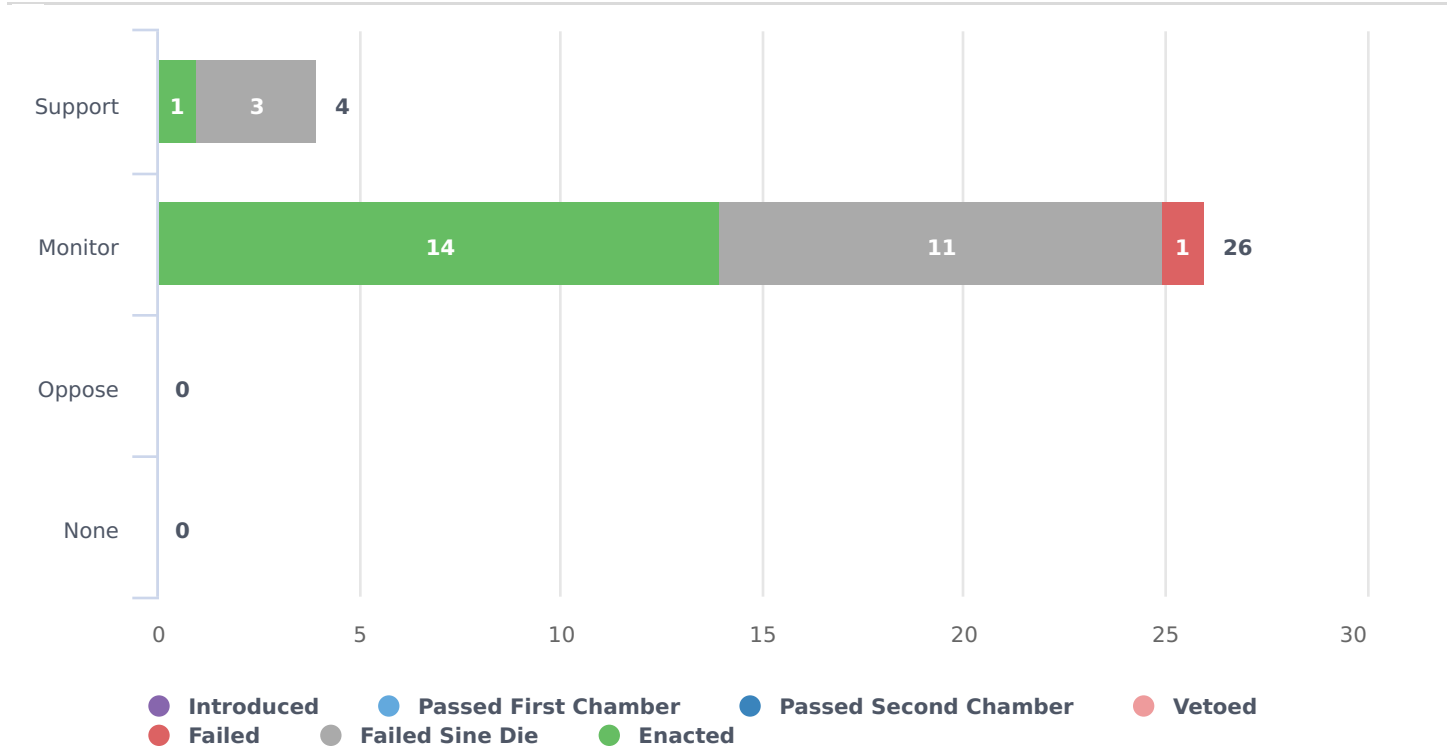


Tennessee - 2023-24 Legislative Overview

Last Updated: May 10, 2024

Bills by Last Status and Position



Bill State: TN (30)

Title

Disabled Persons - As enacted, authorizes an employee of a public accommodation to ask for certain information about a dog guide in training; specifies that an individual utilizing a service animal or training a service animal in training is liable for damages to the same extent that an individual whose pet causes damages to a public accommodation is; makes other related changes to service animals and service animals in training. - Amends TCA Title 8; Title 39; Title 44 and Title 62, Chapter 7, Part 1.

Description

Present law prohibits a proprietor, employee, or other person in charge of a place of public accommodation, amusement, or recreation from refusing to allow a blind, physically disabled, or deaf or hard of hearing person to enter the place or to make use of the accommodations provided when the accommodations are available, for the reason that the person is being led or accompanied by a dog guide. Present law requires the dog guide to be under the control of its handler, and prohibits the place from requiring documentation, such as proof that the animal has been certified, trained, or licensed as a dog guide. Present law also prohibits a proprietor, employee, or other person in charge of such a place from refusing to allow a dog guide trainer to enter the place or to make use of the accommodations provided in the place, when the accommodations are available, for the reason that the trainer is being led or accompanied by a dog guide in training, as long as the dog is wearing a harness and is held on a leash by the trainer, or is held on a leash by the trainer. Additionally, the trainer must also present for inspection credentials issued by an accredited school for training dog guides. Present law authorizes such a place to ask a person to remove a dog guide or dog guide in training from the premises if the dog is out of control and its handler does not take effective action to control it; or the dog is not housebroken. Present law provides that a violation of the above provisions is a Class C misdemeanor. Present law provides that the term "dog guide in training" includes the following: (1) Dogs being raised for an accredited school for training dog guides, as long as the dog being raised for that purpose is (A) being held on a leash and is under the control of its raiser or trainer, who has available for inspection credentials from the accredited school for which the dog is being raised; and (B) wearing a collar, leash, or other appropriate apparel or device that identifies the dog with the accredited school for which it is being raised; and (2) The socialization process that occurs with the trainer or raiser prior to the dog's advanced training as long as the process is under the authorization of an accredited school. This bill makes the following revisions to the present law: (1) It maintains the provisions in (2) above but rewrites (1) above to limit the definition of a "dog guide in training" to a dog being trained by an employee or puppy raiser from a recognized training agency or school to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; (2) It defines "a place of public accommodation, amusement, or recreation" as a place, store, or o... (click bill link to see more).

Primary Sponsors

Ed Butler

Bill Summary: Last edited by Jeff Plummer at Jan 12, 2023, 3:54 PM

Amends Titles 8 (Public Officers & Employees), 39 (Criminal Offenses), 44 (Animals & Animal Husbandry) and 62 (Professions, Businesses & Trade) related to service animals and service animals in training. Authorizes an employee of a public accommodation to ask for certain information about a dog guide in training. Specifies that an individual utilizing a service animal or training a service animal in training is liable for damages to the same extent that an individual whose pet causes damages to a public accommodation is. Provides that misrepresentation of a service animal or support animal is a Class B misdemeanor. Provides that a person who commits the offense of misrepresentation of a service animal shall perform 100 hours of community service for an organization that serves individuals with disabilities, or for another entity or organization, at the discretion of the court, to be completed within 6 months of an order issued by the court. For purposes of this section: "Dog guide in training" means (1) A dog being trained by an employee or puppy raiser from a recognized training agency or school to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; and (2) A dog in the socialization process that occurs with the dog's training or raiser prior to the dog's advanced training and that is authorized by an accredited school.

Introduction Date: 2023-01-12

State
TN

Bill Number
HB 467

Last Action
**Failed In S C Children Family Affairs
Subcommittee Of Civil Justice
Committee 2023 03 21**

Status
Failed

Title

Divorce, Annulment and Alimony - As introduced, allows a court in a divorce or annulment action to provide for the ownership or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal. - Amends TCA Title 36, Chapter 4.

Description

Abstract summarizes the bill.

Primary Sponsors

Caleb Hemmer

Bill Summary: Last edited by Jeff Plummer at Jan 26, 2023, 4:02 PM
Amends Title 36 (Domestic Relations), Chapter 4 (Divorce & Annulment), Section 36-4-121 (Division, distribution, or assignment of marital property — Allocation of marital debt) of TN Code Annotated by adding a new subsection to allow a court to provide for the ownership or joint ownership of a companion animal in a divorce or annulment proceeding. Adds provision that the court may provide for the ownership or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal.

Introduction Date: 2023-01-25

Title

Animal Cruelty and Abuse - As enacted, establishes standards for shelter that must be provided to dogs under animal cruelty laws. - Amends TCA Title 39 and Title 44.

Description

Present law provides that a person commits the offense of cruelty to animals, a Class A misdemeanor, if the person intentionally or knowingly fails unreasonably to provide necessary food, water, care, or shelter for an animal in the person's custody. This bill changes the elements for commission of the offense when it comes to shelter by instead providing that a person commits the offense of cruelty to animals if the person intentionally or knowingly does the following: (1) Fails unreasonably to provide necessary shelter for an animal other than a dog in the person's custody; or (2) Fails unreasonably to provide shelter in a structure that meets the following requirements for a dog in the person's custody: (A) The structure is waterproof; constructed of steel, aluminum, or other sound and substantial material; is sufficient to protect the dog from inclement weather suitable for the age, breed, and physical condition of the dog; and is ventilated, insulated, and of a size appropriate to allow the dog to maintain normal body temperature; (B) The structure has dimensions that allow the dog while in the shelter to stand erect, sit, turn around, and lie down in a normal position; (C) The structure provides a solid surface, resting platform, pad, floormat, or similar device that is large enough for the dog to lie on in a normal manner and can be maintained in a sanitary manner; (D) The structure prevents pain, suffering, or a significant risk to the dog's health; and (E) During hot weather, the structure is properly shaded and during cold weather, the structure provides a quantity of bedding material that is sufficient to protect the dog from cold and promote the retention of body heat. This bill provides that the requirements in (2) above do not apply to the space under buildings, decks, steps, or open crates and carriers designed for temporary housing unless modified to meet the requirements of (2) above, including allowing the dog to retain normal body temperature. ON APRIL 18, 2023, THE SENATE ADOPTED AMENDMENT #1 AND PASSED SENATE BILL 195, AS AMENDED. AMENDMENT #1 makes the following changes to this bill: (1) Clarifies that a person commits the offense if a person does not provide access to necessary shelter for an animal other than a dog in the person's custody; (2) Clarifies that an offense for failure to provide access to shelter in a structure only applies if the dog resides primarily outdoors; (3) Revises the requirements a structure must meet, to require that the structure: (A) Is constructed of sound and substantial material, is sufficient to protect the dog from inclement weather, and is of a size appropriate to allow the dog to maintain normal body temperature; (B) Has a roof and is enclosed on all sides with an entrance of adequate size for... (click bill link to see more).

Primary Sponsors

John Crawford

Bill Summary: Last edited by Jeff Plummer at Jan 26, 2023, 4:11 PM

Amends Title 39 (Criminal Offenses), Chapter 14 (Offenses Against Property), Part 2 (Animals), Section 202 (Cruelty to Animals) of Tennessee Code Annotated to expand upon the outside structure requirements for the offense of "failing unreasonably to provide necessary food, water, care or shelter for an animal in the person's custody". Provides that: 1) The structure must be four-sided and ventilated with an entrance on one side, a roof, and a solid floor that is in good repair and allows the dog to remain reasonably dry and maintain normal body temperature; 2) The dimensions of the entrance and structure must allow each dog present to enter, stand, turn around, and lie down in a natural manner, whether in the same structure or by providing multiple structures, and protect the dog from adverse weather and direct sunlight; and 3) During cold weather, the structure must contain bedding material that is sufficient to promote the retention of body heat and during summer months a separate natural or artificial shaded area must be available outside the structure and accessible by the dog. Provides that the requirements in this subdivision do not apply to the space under buildings, decks, steps, or open crates and carriers designed for temporary housing unless modified to meet the requirements of this subdivision, including allowing the dog to retain normal body temperature.

Introduction Date: 2023-01-25

Title

Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits an insurer of homeowner's insurance, renter's insurance, or insurance that covers a manufactured or mobile home from making certain changes to or refusing to issue a policy based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property to which the policy applies. - Amends TCA Title 56.

Description

This bill prohibits an insurer from doing the following based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property for which the insured has or is seeking the policy: (1) Refusing to issue a homeowner's insurance policy, renter's insurance policy, or policy of insurance that covers a manufactured or mobile home; (2) Terminating such policy prior to the expiration of such policy period; (3) Refusing to renew such policy; or (4) Increasing a premium or rate for such policy. However, this bill clarifies that it does not prohibit an insurer from taking an action described in (1)-(4) based on sound underwriting and actuarial principles on the basis that a particular dog that lives or is otherwise cared for on the property is a potentially vicious dog or vicious dog as defined in present law. Present law defines a "potentially vicious dog" as a dog that may reasonably be assumed to pose a threat to public safety as demonstrated by the following behaviors: (1) When unprovoked and off the property of the owner or keeper of the dog, inflicts a bite causing bodily injury to a person or domestic animal; or (2) When unprovoked and off the property of the owner or keeper of the dog, on two or more separate occasions, chases, menaces or approaches a person or domestic animal in an aggressive manner or apparent attitude of attack. Present law defines a "vicious dog" as a dog that, without provocation and off the property of the owner or keeper of the dog, has attacked a person causing death or serious bodily injury to such person. This bill further prohibits an insurer from asking or inquiring about the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property, except to ask if the dog is a potentially vicious dog or vicious dog. If an insurer violates this bill, then such violation constitutes a violation of the Unfair Trade Practices and Unfair Claims Settlement Act of 2009, and subjects the insurer to the penalties and remedies as provided in that act, including the commissioner of commerce and insurance bringing an action in the chancery court of Davidson County to enjoin the violation and enforce compliance. This bill applies to policies entered into, amended, or renewed on or after July 1, 2023.

Primary Sponsors

Bill Beck

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2023, 3:54 PM

Amends Title 56 (Insurance), Chapter 7 (Policies & Policyholders), Part 1 (General Provisions) of Tennessee Code Annotated by adding a new section prohibiting an insurer of homeowner's insurance, renter's insurance, or insurance that covers a manufactured or mobile home from making certain changes to or refusing to issue a policy based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property to which the policy applies. Provides that an insurer shall not, based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property for which the insured has or is seeking the policy, do the following: (1) Refuse to issue a policy; (2) Terminate the policy prior to the expiration of the policy period; (3) Refuse to renew the policy; or (4) Increase a premium or rate for the policy. Provides that an insurer shall not ask or inquire about the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property, except to ask if the dog is a potentially vicious dog or vicious dog.

Introduction Date: 2023-01-30

State	Bill Number	Last Action	Status
TN	HB 1081	Effective Date S 07 01 2023 2023 05 03	Enacted

Title

Criminal Procedure - As enacted, adds to the current list of advisory factors that a court must consider, but is not bound by, in determining whether to enhance a defendant's sentence whether the defendant committed an assaultive offense, criminal homicide, kidnapping, false imprisonment, robbery, or a sexual offense while engaged in the performance of official duties as a law enforcement officer. - Amends TCA Title 38; Title 39 and Title 40.

Description

ON APRIL 6, 2023, THE HOUSE ADOPTED AMENDMENT #1 AND PASSED HOUSE BILL 1081, AS AMENDED. AMENDMENT #1 rewrites this bill to add to the current list of advisory factors that a court shall consider, but is not bound by, in determining whether to enhance a defendant's sentence whether the defendant committed an assaultive offense, criminal homicide, kidnapping, false imprisonment, robbery, or a sexual offense while engaged in the performance of official duties as a law enforcement officer.

Primary Sponsors

2 Shay Parkinson

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2023, 6:41 PM

Amends Title 40 (Criminal Procedure), Chapter 39 (Offender Registration and Monitoring), Part 1 (TN Animal Abuser Registration Act), Section 40-39-103 (Publication of list of persons convicted of animal abuse on TBI website — Length of time name maintained on list — Removal of name) of TN Code Annotated to adjust the time period court clerks have to forward animal abuser information to the TN Bureau of Investigation. Provides that the court clerks shall forward a copy of the judgment and date of birth of all persons convicted of an animal abuse offense to the TBI within THIRTY (30) CALENDAR DAYS of the date of judgment. (CURRENT STATUTE = sixty (60) calendar days).

Introduction Date: 2023-01-31

State	Bill Number	Last Action	Status
TN	HB 1320	Assigned To S C Criminal Justice Subcommittee 2023 02 07	Failed sine die

Title

Criminal Offenses - As introduced, creates the Class C misdemeanor of restraining a dog with a chain, cord, tether, cable, or similar device while a disaster is imminent or occurring; states that a person is not subject to prosecution for a violation unless the person has previously received a warning citation for a violation. - Amends TCA Title 39 and Title 44, Chapter 17.

Description

Abstract summarizes the bill.

Primary Sponsors

Doc Kumar

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2023, 3:22 PM

Amends Titles 39 (Criminal Offenses) and 44 (Animals and Animal Husbandry) of Tennessee Code to create the Class C misdemeanor of restraining a dog with a chain, cord, tether, cable, or similar device while a disaster is imminent or occurring. Provides that it is an offense for a person to knowingly restrain a dog with a chain, cord, tether, cable, or similar device while a natural or manmade disaster is imminent or occurring, including a period of time when: 1) A severe flooding or tornado warning issued by the national weather service is in effect for the geographic area where the dog is located; or 2) A mandatory or voluntary evacuation order is in effect for the geographic area where the dog is located. Provides that a violation of this section is a Class C misdemeanor.

Introduction Date: 2023-01-31

Title

Education, Dept. of - As introduced, enacts the "Beyond Ordinary Learning Opportunities (BOLO) Act," which requires the department to establish a one-year pilot program to place a therapy dog in five public schools in the 2024-2025 school year. - Amends TCA Title 49.

Description

This bill requires the department of education ("department") to establish a one-year pilot program to place a therapy dog in five public schools in the 2024-2025 school year. The department must select at least one public school from each grand division of this state to participate in the pilot program and must strive to select public charter schools and public schools from a variety of LEAs that serve students in a variety of grade levels. Each school selected to participate must receive a therapy dog. This bill requires the department to establish the requirements for each public school and therapy dog provider participating in the pilot program, including requirements for the public schools selected to participate in the pilot program to collect and report data regarding the public school's experience with the provided therapy dog. This bill requires the department to submit a report to the general assembly no later than July 1, 2025, providing the results and outcomes of the pilot program and to recommend whether the general assembly should extend the pilot program. ON APRIL 15, 2024, THE SENATE ADOPTED AMENDMENT #1 AND PASSED SENATE BILL 1867, AS AMENDED. AMENDMENT #1 prohibits the department of education from selecting a public school to participate in the pilot program if the public school does not agree to participate; and establishes that each public school selected to participate in the pilot program must receive a therapy dog.

Primary Sponsors

Gino Bulso

Bill Summary: Last edited by Jeff Plummer at Jan 23, 2024, 5:30 PM

The "Beyond Ordinary Learning Opportunities (BOLO) Act amends Title 49 (Education), Chapter 6 (Elementary & Secondary Education), Part 3 (Elementary, Middle and Secondary Schools Generally) of Tennessee Code Annotated by adding a new section to require the Department of Education to establish a one-year pilot program to place a therapy dog in five public schools in the 2024-2025 school year. Provides that the Department of Education shall establish a one-year pilot program to place a therapy dog in five (5) public schools in the 2024-2025 school year. Provides that the department shall select at least one (1) public school from each grand division of this state to participate in the pilot program and shall strive to select public charter schools and public schools from a variety of LEAs that serve students in a variety of grade levels. Provides that each school selected to participate must receive a therapy dog. Provides that the department shall establish the requirements for each public school and therapy dog provider participating in the pilot program, including, but not limited to, requirements for the public schools selected to participate in the pilot program to collect and report data regarding the public school's experience with the provided therapy dog. Provides that the department shall submit a report to the general assembly no later than July 1, 2025, providing the results and outcomes of the pilot program and to recommend whether the General Assembly should extend the pilot program.

Introduction Date: 2024-01-22

Title

Veterinarians - As enacted, establishes a process for a licensed veterinarian to report suspected animal cruelty in violation of certain criminal laws and testify in a judicial or administrative proceeding concerning the care of the animal without being subject to criminal or civil liability. - Amends TCA Title 39; Title 43; Title 44; Title 53; Title 63 and Title 68.

Description

This bill authorizes a licensed veterinarian, while acting in a professional capacity and in a current veterinarian-client-patient relationship, having reasonable cause to believe that an animal has been subjected to animal cruelty, to (i) make or cause to be made a report of such violation to the commissioner of agriculture or the commissioner's designee, an animal control officer, a law enforcement agency, or a district attorney and (ii) appear and testify in a judicial or administrative proceeding concerning the care of the animal. This bill provides that a licensed veterinarian or person participating in the making of a report pursuant to this bill is not in breach of veterinarian-client-patient confidentiality by making the report or participating in a judicial or administrative proceeding pursuant to this bill and is immune from any civil or criminal liability or disciplinary action by the board, as long as such participation is made in good faith.

Primary Sponsors

Bryan Terry

Bill Summary: Last edited by Jeff Plummer at Jan 25, 2024, 3:32 PM

Amends Title 63 (Professions of the Healing Arts), Chapter 12 (Tennessee Veterinary Practice Act) of Tennessee Code Annotated by adding a new section to establish a process for a licensed veterinarian to report suspected animal cruelty in violation of certain criminal laws and testify in a judicial or administrative proceeding concerning the care of the animal without being subject to criminal or civil liability. Provides that a licensed veterinarian, while acting in a professional capacity and in a current veterinarian-client-patient relationship, having reasonable cause to believe that an animal has been subjected to animal cruelty, may make or cause to be made a report of such violation to the Commissioner of Agriculture or the Commissioner's designee, an animal control officer, a law enforcement agency, or a district attorney and may appear and testify in a judicial or administrative proceeding concerning the care of the animal. Provides that a licensed veterinarian or person participating in the making of a report pursuant to this section is not in breach of veterinarian-client-patient confidentiality by making the report or participating in a judicial or administrative proceeding pursuant to this section and is immune from any civil or criminal liability or disciplinary action by the board, as long as such participation pursuant to this section is made in good faith.

Introduction Date: 2024-01-24

Title

Real Property - As enacted, specifies that documents provided through a website with the primary function of providing certificates, registrations, licenses, or similar documents for assistance animals in exchange for payment of a fee are not reliable documentation in seeking an exemption to a prohibition on animals in rental property. - Amends TCA Title 29 and Title 66.

Description

Abstract summarizes the bill.

Primary Sponsors

Clark Boyd

Bill Summary: Last edited by Jeff Plummer at Jan 30, 2024, 5:54 PM

Amends Title 66 (Property), Chapter 28 (Uniform Residential Landlord and Tenant Act), Part 4 (Tenant Obligations), Section 406 (Exception to policy prohibiting or limiting, or requiring payment for, animals or pets for tenant or prospective tenant with disability who requires use of service animal or support animal) of Tennessee Code Annotated to amend the definition of "reliable documentation" in relation to the exemption of service or support animals from prohibition of animals on rental properties. Redefines the definition of "reliable documentation" to include the provision that it does not include documentation provided through a website, the primary function of which is to provide a certificate, registration, license, or similar document for a service animal or support animal for a fee.

Introduction Date: 2024-01-29

State
TN

Bill Number
HB 2540

Last Action
**Taken Off Notice For Cal In S C Criminal
Justice Subcommittee Of Criminal
Justice Committee 2024 03 19**

Status
Failed sine die

Title

Animal Cruelty and Abuse - As introduced, increases the age at which a rabbit that has been colored, stained, or otherwise had their natural color changed must not be sold as a pet, toy, premium, or novelty from under two months of age to under six months of age. - Amends TCA Title 39, Chapter 14, Part 2.

Description

Abstract summarizes the bill.

Primary Sponsors

Bryan Terry

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2024, 3:41 PM

Amends Title 39 (Criminal Offenses), Chapter 14 (Offenses Against Property), Part 2 (Animals), Section 39-14-204 (Dyed baby fowl and rabbits) of Tennessee Code Annotated to adjust the age at which a rabbit that has been colored, dyed, stained or otherwise had their natural color changed may be sold. Provides that it is unlawful for a person to: (1) Sell, offer for sale, barter or give away rabbits under SIX (6) MONTHS (current statute = two (2) months) of age, as pets, toys, premiums or novelties, if those fowl or rabbits have been colored, dyed, stained or otherwise had their natural color changed; or (2) Bring or transport such rabbits into the state to sell, offer for sale or give away.

Introduction Date: 2024-01-30

Title

Animal Cruelty and Abuse - As enacted, prohibits the department of agriculture or any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has occurred or is occurring, the consent of the property owner, a warrant, or a recognized warrant exception; requires a member of a society incorporated for the prevention of cruelty to animals to notify the appropriate local law enforcement agency of the member's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action before doing so. - Amends TCA Title 39; Title 43; Title 44 and Title 63, Chapter 12.

Description

IMPOUNDED ANIMAL - NOTIFYING LAW ENFORCEMENT This bill clarifies that prior to entering into a place to supply an impounded animal with necessary food and water, the person must notify the appropriate local law enforcement agency of the person's intent to enter and the circumstances justifying the entry.**IMPOUNDED ANIMAL - PROBABLE CAUSE** Notwithstanding present law, this bill provides that an official, employee, or agent of the department of agriculture or any other state or local department or agency must not enter private property without probable cause to believe that a criminal offense has occurred or is occurring. This provision does not limit the ability to enter private property pursuant to the consent of the property owner, a warrant, or a recognized warrant exception.**PREVENTION OF CRUELTY TO ANIMALS** This bill provides that prior to making an arrest or interfering, an officer, agent, or member of a society which is incorporated for the prevention of cruelty to animals, must notify the appropriate local law enforcement agency of the person's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action.**OFFENSES** Present law provides that a person commits an offense if without consent of the owner: (1) The person exercises control over an animal facility or other property from an animal facility with the intent to deprive the owner of the facility or property and to disrupt the enterprise conducted at the animal facility; (2) The person damages an animal facility or damages any animal or property in or on an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility and the damage exceeds \$500; or (3) The person damages or destroys an animal facility or damages any animal or property in or on an animal facility and the damage is \$500 or less, or enters or remains on an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility, and the person (i) had notice that the entry was forbidden; (ii) knew or should have known that the animal facility was or had closed to the public; or (iii) received notice to depart but failed to do so. Present law provides that nothing described above applies to, affects, or otherwise prohibits actions taken by the department of agriculture, any other federal, state, or local department or agency, or any official, employee or agent thereof while in the exercise or performance of any power or duty imposed by law or by rule and regulation. This bill adds to this provision by prohibiting any official, employee, or agent of the department of agriculture, any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has oc... (click bill link to see more).

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2024, 4:26 PM

Amends Title 39 (Criminal Offenses), Chapter 14 (Offenses Against Property), Part 2 (Animals), Section 39-14-210 (Societies for prevention of cruelty to animals-Power of governmental agencies working with victimized animals) of Tennessee Code Annotated to require a member of an SPCA to notify the appropriate local law enforcement agency of the member's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action before doing so. Current statute provides that agents of any society which is incorporated for the prevention of cruelty to animals, upon being appointed thereto by the president of such a society in any county, may, within that county, make arrests, and bring before any court thereof offenders found violating this part with regard to non-livestock animals. This bill provides that prior to entering, the person must notify the appropriate local law enforcement agency of the person's intent to enter and the circumstances justifying the entry.

Introduction Date: 2024-01-31

Primary Sponsors

Clay Doggett

Title
Criminal Offenses - As introduced, replaces references to "poisonous snakes" with "venomous snakes." - Amends TCA Section 39-17-101 and Title 70.

Description
Abstract summarizes the bill.

Primary Sponsors
Jeremy Faison

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2024, 4:39 PM
Amends Title 39 (Criminal Offenses), Chapter 17 (Offenses Against Public Health, Safety & Welfare), Section 39-17-101 (Handling snakes so as to endanger life prohibited) and Title 70 (Wildlife Resources), Chapter 4 (Miscellaneous Regulations), Part 4 (Exotic Animals), Section 70-4-405(h)(7) (Housing and transportation of wildlife-Requirements - Mobile Facilities) of Tennessee Code Annotated to strike references to "poisonous" snakes and replace with the term "venomous". Provides that it is an offense for a person to display, exhibit, handle, or use a VENOMOUS (current statute = "poisonous") or dangerous snake or reptile in a manner that endangers the life or health of any person. Provides that poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall only be transported in a strong, closely woven cloth sack, tied or otherwise secured. This sack shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes, which shall be screened. Boxes containing poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall be locked and prominently labeled "Danger — VENOMOUS SNAKES" (current statute = "poisonous snakes) or "Danger — Poisonous Reptiles," and shall include the owner's name, address, telephone number and list of number and species being transported.

Introduction Date: 2024-01-31

Title
Animal Control - As introduced, increases from \$25 to \$40, the deposit amount that an agency cannot accept less than from a new owner adopting a cat or dog that has not been spayed or neutered, and to ensure that the spaying or neutering occurs, the agency permits the owner to receive a refund of the deposit upon providing confirmation of the spaying or neutering. - Amends TCA Title 44 and Title 63.

Description
Abstract summarizes the bill.

Primary Sponsors
Chris Todd

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2024, 4:47 PM
Amends Title 44 (Animals & Animal Husbandry), Chapter 17 (Dogs & Cats), Part 5 (Spay/Neuter Law), Section 44-17-503 (Deposit-Forfeiture of deposit-Use of forfeited deposits) of Tennessee Code Annotated to increase the deposit amount accepted by an agency from a new owner adopting a cat or dog that has not been spayed or neutered. Provides that if a dog or cat being adopted has not been spayed or neutered, the agency shall require a deposit of not less than FORTY DOLLARS (\$40.00) - (current statute = twenty-five dollars (\$25.00) - from the new owner prior to the adoption in order to ensure that the dog or cat is spayed or neutered. Provides that the new owner may request and shall receive a refund of the deposit from the agency upon providing confirmation of the spaying or neutering. Applies to adoptions occurring on or after July 1, 2024. For purposes of this section: "Agency" includes, but is not limited to, an animal shelter, dog pound, animal control agency or humane shelter operated by a municipality, county, or other governmental agency within the state.

Introduction Date: 2024-01-31

Title

Criminal Offenses - As enacted, replaces references to "poisonous snakes" with "venomous snakes"; defines "venomous." - Amends TCA Section 39-17-101 and Title 70.

Description

Abstract summarizes the bill.

Primary Sponsors

Chris Todd

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2024, 5:45 PM

Amends Title 39 (Criminal Offenses), Chapter 17 (Offenses Against Public Health, Safety & Welfare), Sections 39-17-101 (Handling snakes so as to endanger life prohibited) and 39-17-402 (Definitions) and Title 70 (Wildlife Resources), Chapter 4 (Miscellaneous Regulations), Part 4 (Exotic Animals), Section 70-4-405(h)(7) (Housing and transportation of wildlife-Requirements - Mobile Facilities) of Tennessee Code Annotated to define the terms "poisonous" and "venomous" and provide for certain transport regulations. For purposes of this section: "Poisonous" means any toxic substance secreted from the skin of an animal and that causes injury or death when absorbed or ingested. "Venomous" means any toxic substance that is actively injected by an animal through a bite or sting and that causes injury or death. Provides that poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall only be transported in a strong, closely woven cloth sack, tied or otherwise secured. This sack shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes, which shall be screened. Boxes containing poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall be locked and prominently labeled "Danger — VENOMOUS SNAKES" (current statute = "poisonous snakes) or "Danger — Poisonous Reptiles," and shall include the owner's name, address, telephone number and list of number and species being transported.

Introduction Date: 2024-01-31

Title

Commerce and Insurance, Dept. of - As introduced, establishes a process for the department to issue licenses to commercial breeders of cats and dogs. - Amends TCA Title 4; Title 43 and Title 44.

Description

As of October 1, 2024, this bill requires the department of commerce and insurance ("department") to create a commercial breeder licensure application form, which must include all necessary information as determined by the commissioner of commerce and insurance ("commissioner") and be maintained on the department's website. The department may charge a licensure application fee of not more than \$15 per adult female dog or cat in the possession or immediate control of the applicant for the purpose of selling the offspring. The application fee must be processed prior to inspection of the property where the female dogs or cats are located. The application fee is nonrefundable and must not be reimbursed under any circumstances. Prior to the issuance of a license, this bill requires the department to investigate the premises to determine if the facility is suitable for inhabitation by the possessed animals and for the purpose of commercial breeding. The premises must provide, at a minimum, adequate shelter, including sufficient coverage or protection from the rain and sun, and operable climate control or heating devices with the ability to accommodate every dog or cat. This bill provides that it is a Class A misdemeanor, punishable only by fine, for a person to knowingly operate as a commercial breeder without a license. REQUIREMENTS FOR LICENSURE This bill requires a licensure applicant to meet the following criteria: (1) Have a valid tax registration number and be in good standing with the department of revenue; (2) Be at least 18; (3) Not have been convicted of or plead guilty to a violation of cruelty to animals, or another offense related to an animal, or reside in the same household as a person who has been convicted of or pled guilty to a violation of cruelty to animals, or another offense related to an animal; (4) Not operate or maintain a controlling interest in a public or private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to dogs, or other similar entity or home base rescue operation that releases companion dogs for adoption, or reside in the same household with a person that operates or maintains a controlling interest in such an entity; and (5) Possess valid documentation signed by a veterinarian evidencing that the applicant completed a program of veterinary care. This documentation must be dated within two years of the application submission or application for licensure renewal. This bill provides that a person who has been convicted of or pled guilty to a violation of cruelty to animals, or another criminal offense involving an animal is permanently ineligible to receive a license pursuant to this bill. Additionally, a person who resides in the same household as a person who has been so... (click bill link to see more).

Primary Sponsors

Ron Travis

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2024, 5:32 PM

Provides that the Department of Commerce & Insurance shall promulgate rules to create a licensure process for commercial breeders of cats and dogs. Provides that the department shall create a licensure application form to be maintained on the department's website. Provides that the department may charge a licensure application fee of not more than fifteen dollars (\$15.00) per adult female dog or cat in the possession or immediate control of the applicant for the purpose of selling the offspring and that the application fee must be processed prior to inspection of the property where the female dogs or cats are located. Provides that, prior to the issuance of a license, the department shall investigate the premises to determine if the facility is suitable for inhabitation by the possessed animals and for the purpose of commercial breeding. Provides that the premises must provide, at a minimum, adequate shelter, including sufficient coverage or protection from the rain and sun, and operable climate control or heating devices with the ability to accommodate every dog or cat. Provides that a licensure applicant must: (1) Have a valid tax registration number and be in good standing with the Department of Revenue; (2) Be at least eighteen (18) years of age; (3) Not have been convicted of or plead guilty to certain offenses related to an animal, or reside in the same household as a person who has been convicted of or plead guilty to certain offenses related to an animal; (4) Not operate or maintain a controlling interest in a public or private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to dogs, or other similar entity or home base rescue operation that releases companion dogs for adoption, or reside in the same household with a person that operates or maintains a controlling interest in such an entity; and (5) Possess valid documentation signed by a veterinarian evidencing that the applicant completed a program of veterinary care. This documentation must be dated within two (2) years of the application submission or application for licensure renewal. Provides that a license must be renewed annually (for a fee of not more than \$150). Provides that the department shall conduct an inspection of the premises annually and determine if the licensee is in compliance with the provisions of this part. Provides that a licensee must take corrective action on the violations within thirty (30) days. If the licensee fails to take corrective action within thirty (30) days, then: (1) A penalty of one thousand five hundred dollars (\$1,500) may be imposed for each violation; and (2) The commissioner may revoke the commercial breeder's license, and the commercial breeder may be charged with a violation of § 39-14-202, if appropriate. For purposes of this section: "Commercial breeder" means a person possessing or maintaining under the person's immediate control, ten (10) or more dogs or cats for the purpose of selling the offspring as companion animals, and does not include a person possessing or maintaining under the person's immediate control dogs or cats for the purpose of practicing veterinary medicine, hunting, training or handling, boarding, or grooming.

Introduction Date: 2024-01-31

Title

Animal Cruelty and Abuse - As enacted, establishes standards for shelter that must be provided to dogs under animal cruelty laws. - Amends TCA Title 39 and Title 44.

Description

Present law provides that a person commits the offense of cruelty to animals, a Class A misdemeanor, if the person intentionally or knowingly fails unreasonably to provide necessary food, water, care, or shelter for an animal in the person's custody. This bill changes the elements for commission of the offense when it comes to shelter by instead providing that a person commits the offense of cruelty to animals if the person intentionally or knowingly does the following: (1) Fails unreasonably to provide necessary shelter for an animal other than a dog in the person's custody; or (2) Fails unreasonably to provide shelter in a structure that meets the following requirements for a dog in the person's custody: (A) The structure is waterproof; constructed of steel, aluminum, or other sound and substantial material; is sufficient to protect the dog from inclement weather suitable for the age, breed, and physical condition of the dog; and is ventilated, insulated, and of a size appropriate to allow the dog to maintain normal body temperature; (B) The structure has dimensions that allow the dog while in the shelter to stand erect, sit, turn around, and lie down in a normal position; (C) The structure provides a solid surface, resting platform, pad, floormat, or similar device that is large enough for the dog to lie on in a normal manner and can be maintained in a sanitary manner; (D) The structure prevents pain, suffering, or a significant risk to the dog's health; and (E) During hot weather, the structure is properly shaded and during cold weather, the structure provides a quantity of bedding material that is sufficient to protect the dog from cold and promote the retention of body heat. This bill provides that the requirements in (2) above do not apply to the space under buildings, decks, steps, or open crates and carriers designed for temporary housing unless modified to meet the requirements of (2) above, including allowing the dog to retain normal body temperature. ON APRIL 18, 2023, THE SENATE ADOPTED AMENDMENT #1 AND PASSED SENATE BILL 195, AS AMENDED. AMENDMENT #1 makes the following changes to this bill: (1) Clarifies that a person commits the offense if a person does not provide access to necessary shelter for an animal other than a dog in the person's custody; (2) Clarifies that an offense for failure to provide access to shelter in a structure only applies if the dog resides primarily outdoors; (3) Revises the requirements a structure must meet, to require that the structure: (A) Is constructed of sound and substantial material, is sufficient to protect the dog from inclement weather, and is of a size appropriate to allow the dog to maintain normal body temperature; (B) Has a roof and is enclosed on all sides with an entrance of adequate size for... (click bill link to see more).

Primary Sponsors

Jon Lundberg

Bill Summary: Last edited by Jeff Plummer at Jan 18, 2023, 8:12 PM

Amends Title 39 (Criminal Offenses), Chapter 14 (Offenses Against Property), Part 2 (Animals), Section 202 (Cruelty to Animals) of Tennessee Code Annotated to expand upon the outside structure requirements for the offense of "failing unreasonably to provide necessary food, water, care or shelter for an animal in the person's custody". Provides that: 1) The structure must be four-sided and ventilated with an entrance on one side, a roof, and a solid floor that is in good repair and allows the dog to remain reasonably dry and maintain normal body temperature; 2) The dimensions of the entrance and structure must allow each dog present to enter, stand, turn around, and lie down in a natural manner, whether in the same structure or by providing multiple structures, and protect the dog from adverse weather and direct sunlight; and 3) During cold weather, the structure must contain bedding material that is sufficient to promote the retention of body heat and during summer months a separate natural or artificial shaded area must be available outside the structure and accessible by the dog. Provides that the requirements in this subdivision do not apply to the space under buildings, decks, steps, or open crates and carriers designed for temporary housing unless modified to meet the requirements of this subdivision, including allowing the dog to retain normal body temperature.

Introduction Date: 2023-01-17

Title

Disabled Persons - As enacted, authorizes an employee of a public accommodation to ask for certain information about a dog guide in training; specifies that an individual utilizing a service animal or training a service animal in training is liable for damages to the same extent that an individual whose pet causes damages to a public accommodation is; makes other related changes to service animals and service animals in training. - Amends TCA Title 8; Title 39; Title 44 and Title 62, Chapter 7, Part 1.

Description

Present law prohibits a proprietor, employee, or other person in charge of a place of public accommodation, amusement, or recreation from refusing to allow a blind, physically disabled, or deaf or hard of hearing person to enter the place or to make use of the accommodations provided when the accommodations are available, for the reason that the person is being led or accompanied by a dog guide. Present law requires the dog guide to be under the control of its handler, and prohibits the place from requiring documentation, such as proof that the animal has been certified, trained, or licensed as a dog guide. Present law also prohibits a proprietor, employee, or other person in charge of such a place from refusing to allow a dog guide trainer to enter the place or to make use of the accommodations provided in the place, when the accommodations are available, for the reason that the trainer is being led or accompanied by a dog guide in training, as long as the dog is wearing a harness and is held on a leash by the trainer, or is held on a leash by the trainer. Additionally, the trainer must also present for inspection credentials issued by an accredited school for training dog guides. Present law authorizes such a place to ask a person to remove a dog guide or dog guide in training from the premises if the dog is out of control and its handler does not take effective action to control it; or the dog is not housebroken. Present law provides that a violation of the above provisions is a Class C misdemeanor. Present law provides that the term "dog guide in training" includes the following: (1) Dogs being raised for an accredited school for training dog guides, as long as the dog being raised for that purpose is (A) being held on a leash and is under the control of its raiser or trainer, who has available for inspection credentials from the accredited school for which the dog is being raised; and (B) wearing a collar, leash, or other appropriate apparel or device that identifies the dog with the accredited school for which it is being raised; and (2) The socialization process that occurs with the trainer or raiser prior to the dog's advanced training as long as the process is under the authorization of an accredited school. This bill makes the following revisions to the present law: (1) It maintains the provisions in (2) above but rewrites (1) above to limit the definition of a "dog guide in training" to a dog being trained by an employee or puppy raiser from a recognized training agency or school to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; (2) It defines "a place of public accommodation, amusement, or recreation" as a place, store, or o... (click bill link to see more).

Primary Sponsors

J. Lowe

Bill Summary: Last edited by Jeff Plummer at Jan 25, 2023, 5:34 PM

Amends Titles 8 (Public Officers & Employees), 39 (Criminal Offenses), 44 (Animals & Animal Husbandry) and 62 (Professions, Businesses & Trade) related to service animals and service animals in training. Authorizes an employee of a public accommodation to ask for certain information about a dog guide in training. Specifies that an individual utilizing a service animal or training a service animal in training is liable for damages to the same extent that an individual whose pet causes damages to a public accommodation is. Provides that misrepresentation of a service animal or support animal is a Class B misdemeanor. Provides that a person who commits the offense of misrepresentation of a service animal shall perform 100 hours of community service for an organization that serves individuals with disabilities, or for another entity or organization, at the discretion of the court, to be completed within 6 months of an order issued by the court. For purposes of this section: "Dog guide in training" means (1) A dog being trained by an employee or puppy raiser from a recognized training agency or school to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; and (2) A dog in the socialization process that occurs with the dog's training or raiser prior to the dog's advanced training and that is authorized by an accredited school.

Introduction Date: 2023-01-25

State TN	Bill Number SB 568	Last Action Rcvd From S Held On H Desk 2023 03 16	Status Failed sine die
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Title

Divorce, Annulment and Alimony - As introduced, allows a court in a divorce or annulment action to provide for the ownership or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal. - Amends TCA Title 36, Chapter 4.

Description

Abstract summarizes the bill.

Primary Sponsors

Jeff Yarbro

Bill Summary: Last edited by Jeff Plummer at Jan 26, 2023, 4:03 PM

Amends Title 36 (Domestic Relations), Chapter 4 (Divorce & Annulment), Section 36-4-121 (Division, distribution, or assignment of marital property — Allocation of marital debt) of TN Code Annotated by adding a new subsection to allow a court to provide for the ownership or joint ownership of a companion animal in a divorce or annulment proceeding. Adds provision that the court may provide for the ownership or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal.

Introduction Date: 2023-01-25

State TN	Bill Number SB 835	Last Action Assigned To General Subcommittee Of Senate Judiciary Committee 2023 03 14	Status Failed sine die
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Title

Criminal Offenses - As introduced, creates the Class C misdemeanor of restraining a dog with a chain, cord, tether, cable, or similar device while a disaster is imminent or occurring; states that a person is not subject to prosecution for a violation unless the person has previously received a warning citation for a violation. - Amends TCA Title 39 and Title 44, Chapter 17.

Description

Abstract summarizes the bill.

Primary Sponsors

Jon Lundberg

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2023, 4:03 PM

Amends Titles 39 (Criminal Offenses) and 44 (Animals and Animal Husbandry) of Tennessee Code to create the Class C misdemeanor of restraining a dog with a chain, cord, tether, cable, or similar device while a disaster is imminent or occurring. Provides that it is an offense for a person to knowingly restrain a dog with a chain, cord, tether, cable, or similar device while a natural or manmade disaster is imminent or occurring, including a period of time when: 1) A severe flooding or tornado warning issued by the national weather service is in effect for the geographic area where the dog is located; or 2) A mandatory or voluntary evacuation order is in effect for the geographic area where the dog is located. Provides that a violation of this section is a Class C misdemeanor.

Introduction Date: 2023-01-30

Title

Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits an insurer of homeowner's insurance, renter's insurance, or insurance that covers a manufactured or mobile home from making certain changes to or refusing to issue a policy based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property to which the policy applies. - Amends TCA Title 56.

Description

This bill prohibits an insurer from doing the following based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property for which the insured has or is seeking the policy: (1) Refusing to issue a homeowner's insurance policy, renter's insurance policy, or policy of insurance that covers a manufactured or mobile home; (2) Terminating such policy prior to the expiration of such policy period; (3) Refusing to renew such policy; or (4) Increasing a premium or rate for such policy. However, this bill clarifies that it does not prohibit an insurer from taking an action described in (1)-(4) based on sound underwriting and actuarial principles on the basis that a particular dog that lives or is otherwise cared for on the property is a potentially vicious dog or vicious dog as defined in present law. Present law defines a "potentially vicious dog" as a dog that may reasonably be assumed to pose a threat to public safety as demonstrated by the following behaviors: (1) When unprovoked and off the property of the owner or keeper of the dog, inflicts a bite causing bodily injury to a person or domestic animal; or (2) When unprovoked and off the property of the owner or keeper of the dog, on two or more separate occasions, chases, menaces or approaches a person or domestic animal in an aggressive manner or apparent attitude of attack. Present law defines a "vicious dog" as a dog that, without provocation and off the property of the owner or keeper of the dog, has attacked a person causing death or serious bodily injury to such person. This bill further prohibits an insurer from asking or inquiring about the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property, except to ask if the dog is a potentially vicious dog or vicious dog. If an insurer violates this bill, then such violation constitutes a violation of the Unfair Trade Practices and Unfair Claims Settlement Act of 2009, and subjects the insurer to the penalties and remedies as provided in that act, including the commissioner of commerce and insurance bringing an action in the chancery court of Davidson County to enjoin the violation and enforce compliance. This bill applies to policies entered into, amended, or renewed on or after July 1, 2023.

Primary Sponsors

Jon Lundberg

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2023, 3:55 PM

Amends Title 56 (Insurance), Chapter 7 (Policies & Policyholders), Part 1 (General Provisions) of Tennessee Code Annotated by adding a new section prohibiting an insurer of homeowner's insurance, renter's insurance, or insurance that covers a manufactured or mobile home from making certain changes to or refusing to issue a policy based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property to which the policy applies. Provides that an insurer shall not, based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property for which the insured has or is seeking the policy, do the following: (1) Refuse to issue a policy; (2) Terminate the policy prior to the expiration of the policy period; (3) Refuse to renew the policy; or (4) Increase a premium or rate for the policy. Provides that an insurer shall not ask or inquire about the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property, except to ask if the dog is a potentially vicious dog or vicious dog.

Introduction Date: 2023-01-30

Title

Criminal Procedure - As enacted, adds to the current list of advisory factors that a court must consider, but is not bound by, in determining whether to enhance a defendant's sentence whether the defendant committed an assaultive offense, criminal homicide, kidnapping, false imprisonment, robbery, or a sexual offense while engaged in the performance of official duties as a law enforcement officer. - Amends TCA Title 38; Title 39 and Title 40.

Description

ON APRIL 6, 2023, THE HOUSE ADOPTED AMENDMENT #1 AND PASSED HOUSE BILL 1081, AS AMENDED. AMENDMENT #1 rewrites this bill to add to the current list of advisory factors that a court shall consider, but is not bound by, in determining whether to enhance a defendant's sentence whether the defendant committed an assaultive offense, criminal homicide, kidnapping, false imprisonment, robbery, or a sexual offense while engaged in the performance of official duties as a law enforcement officer.

Primary Sponsors

London Lamar

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2023, 3:27 PM

Amends Title 40 (Criminal Procedure), Chapter 39 (Offender Registration and Monitoring), Part 1 (TN Animal Abuser Registration Act), Section 40-39-103 (Publication of list of persons convicted of animal abuse on TBI website — Length of time name maintained on list — Removal of name) of TN Code Annotated to adjust the time period court clerks have to forward animal abuser information to the TN Bureau of Investigation. Provides that the court clerks shall forward a copy of the judgment and date of birth of all persons convicted of an animal abuse offense to the TBI within THIRTY (30) CALENDAR DAYS of the date of judgment. (CURRENT STATUTE = sixty (60) calendar days).

Introduction Date: 2023-01-31

Title

Education, Dept. of - As introduced, enacts the "Beyond Ordinary Learning Opportunities (BOLO) Act," which requires the department to establish a one-year pilot program to place a therapy dog in five public schools in the 2024-2025 school year. - Amends TCA Title 49.

Description

This bill requires the department of education ("department") to establish a one-year pilot program to place a therapy dog in five public schools in the 2024-2025 school year. The department must select at least one public school from each grand division of this state to participate in the pilot program and must strive to select public charter schools and public schools from a variety of LEAs that serve students in a variety of grade levels. Each school selected to participate must receive a therapy dog. This bill requires the department to establish the requirements for each public school and therapy dog provider participating in the pilot program, including requirements for the public schools selected to participate in the pilot program to collect and report data regarding the public school's experience with the provided therapy dog. This bill requires the department to submit a report to the general assembly no later than July 1, 2025, providing the results and outcomes of the pilot program and to recommend whether the general assembly should extend the pilot program. ON APRIL 15, 2024, THE SENATE ADOPTED AMENDMENT #1 AND PASSED SENATE BILL 1867, AS AMENDED. AMENDMENT #1 prohibits the department of education from selecting a public school to participate in the pilot program if the public school does not agree to participate; and establishes that each public school selected to participate in the pilot program must receive a therapy dog.

Primary Sponsors

Joey Hensley

Bill Summary: Last edited by Jeff Plummer at Apr 18, 2024, 2:27 PM

The "Beyond Ordinary Learning Opportunities (BOLO) Act amends Title 49 (Education), Chapter 6 (Elementary & Secondary Education), Part 3 (Elementary, Middle and Secondary Schools Generally) of Tennessee Code Annotated by adding a new section to require the Department of Education to establish a one-year pilot program to place a therapy dog in five public schools in the 2024-2025 school year. Provides that the Department of Education shall establish a one-year pilot program to place a therapy dog in five (5) public schools in the 2024-2025 school year. Provides that the department shall select at least one (1) public school from each grand division of this state to participate in the pilot program and shall strive to select public charter schools and public schools from a variety of LEAs that serve students in a variety of grade levels. Provides that each school selected to participate must receive a therapy dog. Provides that the department shall establish the requirements for each public school and therapy dog provider participating in the pilot program, including, but not limited to, requirements for the public schools selected to participate in the pilot program to collect and report data regarding the public school's experience with the provided therapy dog. Provides that the department shall submit a report to the general assembly no later than July 1, 2025, providing the results and outcomes of the pilot program and to recommend whether the General Assembly should extend the pilot program.

Introduction Date: 2024-01-23

Title

Veterinarians - As enacted, establishes a process for a licensed veterinarian to report suspected animal cruelty in violation of certain criminal laws and testify in a judicial or administrative proceeding concerning the care of the animal without being subject to criminal or civil liability. - Amends TCA Title 39; Title 43; Title 44; Title 53; Title 63 and Title 68.

Description

This bill authorizes a licensed veterinarian, while acting in a professional capacity and in a current veterinarian-client-patient relationship, having reasonable cause to believe that an animal has been subjected to animal cruelty, to (i) make or cause to be made a report of such violation to the commissioner of agriculture or the commissioner's designee, an animal control officer, a law enforcement agency, or a district attorney and (ii) appear and testify in a judicial or administrative proceeding concerning the care of the animal. This bill provides that a licensed veterinarian or person participating in the making of a report pursuant to this bill is not in breach of veterinarian-client-patient confidentiality by making the report or participating in a judicial or administrative proceeding pursuant to this bill and is immune from any civil or criminal liability or disciplinary action by the board, as long as such participation is made in good faith.

Primary Sponsors

Ferrell Haile

Bill Summary: Last edited by Jeff Plummer at Jan 25, 2024, 3:33 PM

Amends Title 63 (Professions of the Healing Arts), Chapter 12 (Tennessee Veterinary Practice Act) of Tennessee Code Annotated by adding a new section to establish a process for a licensed veterinarian to report suspected animal cruelty in violation of certain criminal laws and testify in a judicial or administrative proceeding concerning the care of the animal without being subject to criminal or civil liability. Provides that a licensed veterinarian, while acting in a professional capacity and in a current veterinarian-client-patient relationship, having reasonable cause to believe that an animal has been subjected to animal cruelty, may make or cause to be made a report of such violation to the Commissioner of Agriculture or the Commissioner's designee, an animal control officer, a law enforcement agency, or a district attorney and may appear and testify in a judicial or administrative proceeding concerning the care of the animal. Provides that a licensed veterinarian or person participating in the making of a report pursuant to this section is not in breach of veterinarian-client-patient confidentiality by making the report or participating in a judicial or administrative proceeding pursuant to this section and is immune from any civil or criminal liability or disciplinary action by the board, as long as such participation pursuant to this section is made in good faith.

Introduction Date: 2024-01-24

Title

Real Property - As enacted, specifies that documents provided through a website with the primary function of providing certificates, registrations, licenses, or similar documents for assistance animals in exchange for payment of a fee are not reliable documentation in seeking an exemption to a prohibition on animals in rental property. - Amends TCA Title 29 and Title 66.

Description

Abstract summarizes the bill.

Primary Sponsors

Shane Reeves

Bill Summary: Last edited by Jeff Plummer at Jan 26, 2024, 3:16 PM

Amends Title 66 (Property), Chapter 28 (Uniform Residential Landlord and Tenant Act), Part 4 (Tenant Obligations), Section 406 (Exception to policy prohibiting or limiting, or requiring payment for, animals or pets for tenant or prospective tenant with disability who requires use of service animal or support animal) of Tennessee Code Annotated to amend the definition of "reliable documentation" in relation to the exemption of service or support animals from prohibition of animals on rental properties. Redefines the definition of "reliable documentation" to include the provision that it does not include documentation provided through a website, the primary function of which is to provide a certificate, registration, license, or similar document for a service animal or support animal for a fee.

Introduction Date: 2024-01-25

State TN	Bill Number SB 2357	Last Action Assigned To General Subcommittee Of Senate Energy Ag And Nat Resources Committee 2024 03 06	Status Failed sine die
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Title

Animal Control - As introduced, increases from \$25 to \$40, the deposit amount that an agency cannot accept less than from a new owner adopting a cat or dog that has not been spayed or neutered, and to ensure that the spaying or neutering occurs, the agency permits the owner to receive a refund of the deposit upon providing confirmation of the spaying or neutering. - Amends TCA Title 44 and Title 63.

Description

Abstract summarizes the bill.

Primary Sponsors

Frank Niceley

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2024, 3:58 PM

Amends Title 44 (Animals & Animal Husbandry), Chapter 17 (Dogs & Cats), Part 5 (Spay/Neuter Law), Section 44-17-503 (Deposit-Forfeiture of deposit-Use of forfeited deposits) of Tennessee Code Annotated to increase the deposit amount accepted by an agency from a new owner adopting a cat or dog that has not been spayed or neutered. Provides that if a dog or cat being adopted has not been spayed or neutered, the agency shall require a deposit of not less than FORTY DOLLARS (\$40.00) - (current statute = twenty-five dollars (\$25.00) - from the new owner prior to the adoption in order to ensure that the dog or cat is spayed or neutered. Provides that the new owner may request and shall receive a refund of the deposit from the agency upon providing confirmation of the spaying or neutering. Applies to adoptions occurring on or after July 1, 2024. For purposes of this section: "Agency" includes, but is not limited to, an animal shelter, dog pound, animal control agency or humane shelter operated by a municipality, county, or other governmental agency within the state.

Introduction Date: 2024-01-30

State TN	Bill Number SB 2384	Last Action Passed On Second Consideration Refer To Senate Energy Ag And Nat Resources Committee 2024 02 01	Status Failed sine die
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Title

Animal Cruelty and Abuse - As introduced, increases the age at which a rabbit that has been colored, stained, or otherwise had their natural color changed must not be sold as a pet, toy, premium, or novelty from under two months of age to under six months of age. - Amends TCA Title 39, Chapter 14, Part 2.

Description

Abstract summarizes the bill.

Primary Sponsors

Jon Lundberg

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2024, 3:41 PM

Amends Title 39 (Criminal Offenses), Chapter 14 (Offenses Against Property), Part 2 (Animals), Section 39-14-204 (Dyed baby fowl and rabbits) of Tennessee Code Annotated to adjust the age at which a rabbit that has been colored, dyed, stained or otherwise had their natural color changed may be sold. Provides that it is unlawful for a person to: (1) Sell, offer for sale, barter or give away rabbits under SIX (6) MONTHS (current statute = two (2) months) of age, as pets, toys, premiums or novelties, if those fowl or rabbits have been colored, dyed, stained or otherwise had their natural color changed; or (2) Bring or transport such rabbits into the state to sell, offer for sale or give away.

Introduction Date: 2024-01-30

Title

Animal Cruelty and Abuse - As enacted, prohibits the department of agriculture or any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has occurred or is occurring, the consent of the property owner, a warrant, or a recognized warrant exception; requires a member of a society incorporated for the prevention of cruelty to animals to notify the appropriate local law enforcement agency of the member's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action before doing so. - Amends TCA Title 39; Title 43; Title 44 and Title 63, Chapter 12.

Description

IMPOUNDED ANIMAL - NOTIFYING LAW ENFORCEMENT This bill clarifies that prior to entering into a place to supply an impounded animal with necessary food and water, the person must notify the appropriate local law enforcement agency of the person's intent to enter and the circumstances justifying the entry.**IMPOUNDED ANIMAL - PROBABLE CAUSE**

Notwithstanding present law, this bill provides that an official, employee, or agent of the department of agriculture or any other state or local department or agency must not enter private property without probable cause to believe that a criminal offense has occurred or is occurring. This provision does not limit the ability to enter private property pursuant to the consent of the property owner, a warrant, or a recognized warrant exception.**PREVENTION OF CRUELTY TO ANIMALS** This bill provides that prior to making an arrest or interfering, an officer, agent, or member of a society which is incorporated for the prevention of cruelty to animals, must notify the appropriate local law enforcement agency of the person's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action.**OFFENSES** Present law provides that a person commits an offense if without consent of the owner: (1) The person exercises control over an animal facility or other property from an animal facility with the intent to deprive the owner of the facility or property and to disrupt the enterprise conducted at the animal facility; (2) The person damages an animal facility or damages any animal or property in or on an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility and the damage exceeds \$500; or (3) The person damages or destroys an animal facility or damages any animal or property in or on an animal facility and the damage is \$500 or less, or enters or remains on an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility, and the person (i) had notice that the entry was forbidden; (ii) knew or should have known that the animal facility was or had closed to the public; or (iii) received notice to depart but failed to do so. Present law provides that nothing described above applies to, affects, or otherwise prohibits actions taken by the department of agriculture, any other federal, state, or local department or agency, or any official, employee or agent thereof while in the exercise or performance of any power or duty imposed by law or by rule and regulation. This bill adds to this provision by prohibiting any official, employee, or agent of the department of agriculture, any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has oc... (click bill link to see more).

Bill Summary: Last edited by Jeff Plummer at Jan 31, 2024, 4:27 PM

Amends Title 39 (Criminal Offenses), Chapter 14 (Offenses Against Property), Part 2 (Animals), Section 39-14-210 (Societies for prevention of cruelty to animals-Power of governmental agencies working with victimized animals) of Tennessee Code Annotated to require a member of an SPCA to notify the appropriate local law enforcement agency of the member's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action before doing so. Current statute provides that agents of any society which is incorporated for the prevention of cruelty to animals, upon being appointed thereto by the president of such a society in any county, may, within that county, make arrests, and bring before any court thereof offenders found violating this part with regard to non-livestock animals. This bill provides that prior to entering, the person must notify the appropriate local law enforcement agency of the person's intent to enter and the circumstances justifying the entry.

Introduction Date: 2024-01-30

Primary Sponsors

Joey Hensley

Title

Commerce and Insurance, Dept. of - As introduced, establishes a process for the department to issue licenses to commercial breeders of cats and dogs. - Amends TCA Title 4; Title 43 and Title 44.

Description

As of October 1, 2024, this bill requires the department of commerce and insurance ("department") to create a commercial breeder licensure application form, which must include all necessary information as determined by the commissioner of commerce and insurance ("commissioner") and be maintained on the department's website. The department may charge a licensure application fee of not more than \$15 per adult female dog or cat in the possession or immediate control of the applicant for the purpose of selling the offspring. The application fee must be processed prior to inspection of the property where the female dogs or cats are located. The application fee is nonrefundable and must not be reimbursed under any circumstances. Prior to the issuance of a license, this bill requires the department to investigate the premises to determine if the facility is suitable for inhabitation by the possessed animals and for the purpose of commercial breeding. The premises must provide, at a minimum, adequate shelter, including sufficient coverage or protection from the rain and sun, and operable climate control or heating devices with the ability to accommodate every dog or cat. This bill provides that it is a Class A misdemeanor, punishable only by fine, for a person to knowingly operate as a commercial breeder without a license. REQUIREMENTS FOR LICENSURE This bill requires a licensure applicant to meet the following criteria: (1) Have a valid tax registration number and be in good standing with the department of revenue; (2) Be at least 18; (3) Not have been convicted of or plead guilty to a violation of cruelty to animals, or another offense related to an animal, or reside in the same household as a person who has been convicted of or pled guilty to a violation of cruelty to animals, or another offense related to an animal; (4) Not operate or maintain a controlling interest in a public or private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to dogs, or other similar entity or home base rescue operation that releases companion dogs for adoption, or reside in the same household with a person that operates or maintains a controlling interest in such an entity; and (5) Possess valid documentation signed by a veterinarian evidencing that the applicant completed a program of veterinary care. This documentation must be dated within two years of the application submission or application for licensure renewal. This bill provides that a person who has been convicted of or pled guilty to a violation of cruelty to animals, or another criminal offense involving an animal is permanently ineligible to receive a license pursuant to this bill. Additionally, a person who resides in the same household as a person who has been so... (click bill link to see more).

Primary Sponsors

Jon Lundberg

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2024, 5:32 PM

Amends Title 44 (Animals & Animal Husbandry), Chapter 17 (Dogs and Cats) of Tennessee Code Annotated by adding a new Part 44-17-801 to establish a process for the Department of Commerce & Insurance to create a licensure process for commercial breeders of cats and dogs. Provides that the Department of Commerce & Insurance shall promulgate rules to create a licensure process for commercial breeders of cats and dogs. Provides that the department shall create a licensure application form to be maintained on the department's website. Provides that the department may charge a licensure application fee of not more than fifteen dollars (\$15.00) per adult female dog or cat in the possession or immediate control of the applicant for the purpose of selling the offspring and that the application fee must be processed prior to inspection of the property where the female dogs or cats are located. Provides that, prior to the issuance of a license, the department shall investigate the premises to determine if the facility is suitable for inhabitation by the possessed animals and for the purpose of commercial breeding. Provides that the premises must provide, at a minimum, adequate shelter, including sufficient coverage or protection from the rain and sun, and operable climate control or heating devices with the ability to accommodate every dog or cat. Provides that a licensure applicant must: (1) Have a valid tax registration number and be in good standing with the Department of Revenue; (2) Be at least eighteen (18) years of age; (3) Not have been convicted of or plead guilty to certain offenses related to an animal, or reside in the same household as a person who has been convicted of or plead guilty to certain offenses related to an animal; (4) Not operate or maintain a controlling interest in a public or private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to dogs, or other similar entity or home base rescue operation that releases companion dogs for adoption, or reside in the same household with a person that operates or maintains a controlling interest in such an entity; and (5) Possess valid documentation signed by a veterinarian evidencing that the applicant completed a program of veterinary care. This documentation must be dated within two (2) years of the application submission or application for licensure renewal. Provides that a license must be renewed annually (for a fee of not more than \$150). Provides that the department shall conduct an inspection of the premises annually and determine if the licensee is in compliance with the provisions of this part. Provides that a licensee must take corrective action on the violations within thirty (30) days. If the licensee fails to take corrective action within thirty (30) days, then: (1) A penalty of one thousand five hundred dollars (\$1,500) may be imposed for each violation; and (2) The commissioner may revoke the commercial breeder's license, and the commercial breeder may be charged with a violation of § 39-14-202, if appropriate. For purposes of this section: "Commercial breeder" means a person possessing or maintaining under the person's immediate control, ten (10) or more dogs or cats for the purpose of selling the offspring as companion animals, and does not include a person possessing or maintaining under the person's immediate control dogs or cats for the purpose of practicing veterinary medicine, hunting, training or handling, boarding, or grooming.

Introduction Date: 2024-01-31

State TN	Bill Number SB 2606	Last Action Passed On Second Consideration Refer To Senate Judiciary Committee 2024 02 05	Status Failed sine die
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Title
Criminal Offenses - As introduced, replaces references to "poisonous snakes" with "venomous snakes." - Amends TCA Section 39-17-101 and Title 70.

Description
Abstract summarizes the bill.

Primary Sponsors
Paul Rose

Bill Summary: Last edited by Jeff Plummer at Feb 1, 2024, 4:39 PM
Amends Title 39 (Criminal Offenses), Chapter 17 (Offenses Against Public Health, Safety & Welfare), Section 39-17-101 (Handling snakes so as to endanger life prohibited) and Title 70 (Wildlife Resources), Chapter 4 (Miscellaneous Regulations), Part 4 (Exotic Animals), Section 70-4-405(h)(7) (Housing and transportation of wildlife-Requirements - Mobile Facilities) of Tennessee Code Annotated to strike references to "poisonous" snakes and replace with the term "venomous". Provides that it is an offense for a person to display, exhibit, handle, or use a VENOMOUS (current statute = "poisonous") or dangerous snake or reptile in a manner that endangers the life or health of any person. Provides that poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall only be transported in a strong, closely woven cloth sack, tied or otherwise secured. This sack shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes, which shall be screened. Boxes containing poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall be locked and prominently labeled "Danger — VENOMOUS SNAKES" (current statute = "poisonous snakes) or "Danger — Poisonous Reptiles," and shall include the owner's name, address, telephone number and list of number and species being transported.

Introduction Date: 2024-01-31

State TN	Bill Number SB 2808	Last Action Comp Became Pub Ch 636 2024 04 08	Status Enacted
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Title
Criminal Offenses - As enacted, replaces references to "poisonous snakes" with "venomous snakes"; defines "venomous." - Amends TCA Section 39-17-101 and Title 70.

Description
Abstract summarizes the bill.

Primary Sponsors
Steve Southerland

Bill Summary: Last edited by Jeff Plummer at Feb 2, 2024, 3:27 PM
Amends Title 39 (Criminal Offenses), Chapter 17 (Offenses Against Public Health, Safety & Welfare), Sections 39-17-101 (Handling snakes so as to endanger life prohibited) and 39-17-402 (Definitions) and Title 70 (Wildlife Resources), Chapter 4 (Miscellaneous Regulations), Part 4 (Exotic Animals), Section 70-4-405(h)(7) (Housing and transportation of wildlife-Requirements - Mobile Facilities) of Tennessee Code Annotated to define the terms "poisonous" and "venomous" and provide for certain transport regulations. For purposes of this section: "Poisonous" means any toxic substance secreted from the skin of an animal and that causes injury or death when absorbed or ingested. "Venomous" means any toxic substance that is actively injected by an animal through a bite or sting and that causes injury or death. Provides that poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall only be transported in a strong, closely woven cloth sack, tied or otherwise secured. This sack shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes, which shall be screened. Boxes containing poisonous reptiles, INCLUDING VENOMOUS SNAKES, shall be locked and prominently labeled "Danger — VENOMOUS SNAKES" (current statute = "poisonous snakes) or "Danger — Poisonous Reptiles," and shall include the owner's name, address, telephone number and list of number and species being transported.

Introduction Date: 2024-02-01

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