



# 2019 Legislative Package

## Strong Counties - Stronger Tennessee

### Clerks of Court

#### **SB680/HB833 CRIMINAL LAW: Notice of forfeiture of bail security.**

**Sponsors:** Sen. Gardenhire, Todd , Rep. Helton, Esther

**Summary:** Permits the clerk of court to send notice of forfeiture of bail security to a defendant by regular mail, rather than certified mail with restricted delivery and return receipt requested. Senate Status: 02/06/19 - Introduced in the Senate

#### **SB1140/HB1123 ESTATES & TRUSTS: Time period after which small estate affidavit may be filed with clerk of court.**

**Sponsors:** Sen. Swann, Art , Rep. Moon, Jerome

**Summary:** Changes the time period after the date of decedent's death after which a small estate affidavit may be filed with the clerk of court to 30 days. Broadly captioned.

#### **SB1263/HB350 TAXES PROPERTY: Property purchased by a county at a tax sale.**

**Sponsors:** Sen. Gresham, Dolores , Rep. Shaw, Johnny

**Summary:** Provides immunity to a county in suit based in contract or restrictive covenant when the county purchases property in a tax sale. Removes county's liability for the payment of any fees or assessments pursuant to any contractual right held by a non-governmental entity to such fees or assessments secured by property purchased by a county at a tax sale.

### County Clerks

#### **SB76/HB392 ESTATES & TRUSTS: Transfer of wills and marriage licenses from clerk's office.**

**Sponsors:** Sen. Haile, Ferrell , Rep. Garrett, Johnny

**Summary:** Allows marriage documentation to be held be in a suitable facility that stores local government records securely against theft and natural disasters rather than only the clerk's office. Permits the clerk to transfer wills after three years since the final settlement of the estate or final disposition of all actions involving the will. Specifies a will must be transferred to a county archive facility or any other suitable facility approved by the judge of the respective court and the county public records commission. Requires the clerk to keep record of each transferred will.

#### **SB907/HB731 CRIMINAL LAW: Renewal of handgun carry permits.**

**Sponsors:** Sen. Southerland, Steve, Rep. Hall, Mark

**Summary:** Authorizes the department of safety to contract with an entity for the provision of any service related to the renewal of handgun carry permits. Also authorizes an entity contracting with the department of safety to charge an additional fee of \$4.00 for each renewal application, which shall be retained by the entity for administrative costs.

#### **SB1335/HB1169 TRANSPORTATION VEHICLES: Motor vehicle registration - failure to pay wheel tax.**

**Sponsors:** Sen. Southerland, Steve , Rep. Weaver, Terri

**Summary:** Broadens the requirement that any applicant for motor vehicle registration who failed to pay wheel tax

be responsible for paying for all prior years' wheel taxes by making it applicable on a statewide basis instead of only applicable in Rutherford County.

**SB1376/HB189 FAMILY LAW: Revises certain provisions for issuing marriage licenses to minors.**

**Sponsors:** Sen. Yager, Ken , Rep. Carter, Mike

**Summary:** Sets minimum age for marriage licenses at 17, defines "parent" for purposes of parental consent to marriage of a minor as parent on the birth certificate or adjudicated to be the legal parent of the child by a court, deletes requirement that marriage license application for minors be mailed to minor's parent and held for three days before issuance of license.

**SB1486/HB82 TRANSPORTATION VEHICLES: Specifies county clerks for certain duties instead of the department of motor vehicles.**

**Sponsors:** Sen. Bailey, Paul , Rep. Williams, Ryan

**Summary:** Designates county clerks to perform services of the notation of liens, encumbrances, and extension of mortgage on certificates of title instead of the department of motor vehicles. Specifies the distribution of the \$11.00 fee from noting on a certificate of title as county clerks retaining \$3.00 while the remaining \$8.00 goes to the department. Orders funds retained by the county clerk to be earmarked for office supplies and equipment required to perform notation of liens, encumbrances, and extension of mortgage on certificates of title. None of these funds should revert to the general fund at the end of the budget year.

**SB1494/HB542 TRANSPORTATION VEHICLES: Redesign for the Bosnia Veteran license plate.**

**Sponsors:** Sen. Bailey, Paul , Rep. Hall, Mark

**Summary:** Specifies the redesign for the Bosnia Veteran license plate. Specifies that the redesign shall only be effectuated upon the existing inventory of the plates being utilized by the department of revenue.

## **Registers of Deeds**

**SB249/HB229 TAXES PROPERTY: Commission retained by county registers for collecting and reporting recordation tax.**

**Sponsors:** Sen. Jackson, Ed , Rep. Crawford , John

**Summary:** Removes incrementally over a three year period the requirement that 52 percent of the five percent commission retained by county registers for collecting and reporting recordation tax must be remitted to state treasurer and credited to state general fund.

## **Trustees**

**SB393/HB51 TAXES PROPERTY: Collection of property taxes by banks - evidence of payments provided to trustee.**

**Sponsors:** Sen. Dickerson, Steven , Rep. Whitson, Sam

**Summary:** Changes the frequency that banks that collect property taxes must provide evidence of such payments to the trustee from daily to at least every three business days. Deletes outdated references to penalties that are no longer applied and deletes and obsolete code section.

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