

# Legislative Update

## 114<sup>th</sup> General Assembly

Tennessee Judicial Conference  
Nashville - June 11, 2025  
Michelle Consiglio-Young, Esq. & Charlie Baldwin, Esq.

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# Thanks

# for your help!

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# Part I

## Budget

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## New Appropriations

Judges COLA  
Indigent Fund  
BJC Attorney

Other court-related items not assigned to the AOC:

- More Safe Baby Courts to DCS
- Library and Archives

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## Part II

### AOC / Court Bills

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## Threats to Judicial Participants or Family

Updates offense for threatening harm to anyone involved in the judicial process.

Expands protections to include clerks, public defenders, law enforcement, and their families.

*Sponsors: Sen. Roberts / Rep. Littleton, et al.  
Public Chapter 468 | Effective July 1, 2025*

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## Juvenile Case Management System



Requires AOC to provide a CJIS-compliant statewide juvenile case management system.

Mandates use by all juvenile courts and clerks, phased in on AOC schedule.

Grants public access to juvenile delinquency records involving school homicides if the offender is deceased.



*Sponsors: Sen. Haile, et al. / Rep. Garrett, et al.  
Public Chapter 179 | Effective April 11, 2025*

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## Part III

### AOC - HR



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## TCRS Membership Expansion and Clarifications



Revises rules for retirement system participation for part-time workers, officials, and local roles, and outlines benefit options.



*Sponsors: Sen. Walley / Rep. Haston  
Public Chapter 367 | Effective July 1, 2025*

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## Bereavement Leave for State Employees



Grants 3 to 10 days of paid leave to state employees for the death of close family members, depending on the relationship.

Sponsors: Sen. Johnson / Rep. Lamberth, et al.  
Public Chapter 74 | Effective March 25, 2025

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## Payment of Wages to Deceased Employee's Family



- Allows employers to pay owed wages to a deceased employee's surviving spouse or children.
- NO CAP
- Payments offset elective share, homestead, and support allowances.

Sponsors: Rep. Faison, Rep. Hardaway / Sen. Rose, Sen. Bowling  
Public Chapter 194 | Effective April 11, 2025

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## Part IV

### Judiciary - General



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## AG Authority to Investigate Judicial Officials



- Broadens AG authority to investigate and prosecute judges, DAs, and other judicial officials. (*Old law required a report of nepotism*).
- Applies where there is probable cause and a conflict of interest prevents local DA action.

Sponsors: Sen. Gardenhire / Rep. Davis, Rep. Fritts  
Public Chapter 58 | Effective March 25, 2025

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## Cross-Jurisdiction DA Appointments for Removals



Allows district attorneys to appoint another DA to conduct removal proceedings under TCA Title 8, Chapter 47.



When local DA is recused or otherwise has a conflict.

Sponsors: Sen. Stevens / Rep. Moody  
Public Chapter 373 | Effective May 5, 2025

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## Criminal Courts Can Issue Orders of Protection



- Allows criminal courts to issue orders of protection for domestic abuse, sexual assault, or stalking victims.
- Does not grant criminal courts jurisdiction over custody, visitation, or child support.

Sponsors: Sen. Gardenhire, et al. / Rep. Parkinson, Rep. Powers  
Public Chapter 246 | Effective April 24, 2025

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## Restoration of Citizenship Rights Process Overhaul

- Rewrites process for restoring rights of citizenship, including suffrage and firearm rights.
- Establishes clear eligibility requirements and hearing process.
- Restoration forms to be created by AOC in consultation with Secretary of State.

IN THE CIRCUIT COURT FOR \_\_\_\_\_ COUNTY, TENNESSEE  
IN RE: RESTORATION OF CITIZENSHIP RIGHTS

(Please Print Full Name) \_\_\_\_\_ Case No. \_\_\_\_\_

**SECTION 6. Tennessee Code Annotated, Section 40-29-102, is amended by deleting the section and substituting:**

\_\_\_\_\_, and declares that he/she has been previously convicted of a crime or crimes as listed and described below, and is seeking the restoration of the following rights of citizenship:

☐ Right to serve on a jury  
☐ Right to hold public office  
☐ Right to possess a firearm  
☐ Right to exercise a franchise

By filing this Petition, Petitioner acknowledges that he/she has the burden of proving by a preponderance of the evidence that he/she is eligible for restoration of citizenship rights and that he/she is not currently prohibited from exercising the rights of citizenship by any other state or federal court. Petitioner understands that he/she is not guaranteed a hearing and that he/she is not guaranteed a favorable outcome.

As a result of the petition, pursuant to T.C.A. § 40-29-102, Petitioner desires the following:

- My full name is \_\_\_\_\_
- My birthdate is \_\_\_\_\_
- I am filing this petition in the county where I reside ☐ was convicted ☐ (check one)
- I have the following felony convictions (if all of Tennessee's felony convictions, all of all other convictions must be listed in a felony conviction restoration case and all felony convictions must be listed):

Date of Conviction	County of Conviction	State of Conviction	Conviction Description	Date of Release

Rev. 6/2025  
Effective T.C.A. § 40-29-102

Sponsors: Sen. Gardenhire, et al. / Rep. Hulsey, et al.  
Public Chapter 298 | Effective May 2, 2025

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## Restoration of Citizenship Rights Jurisdiction

SECTION 6. Tennessee Code Annotated, Section 40-29-102, is amended by deleting the section and substituting:

(a) Except as provided in subsections (b) and (c), a person rendered infamous or deprived of rights of citizenship by the judgment of any state or federal court is eligible to seek restoration of rights of citizenship by petitioning the circuit court of the county where the petitioner resides or where the conviction for the infamous crime occurred upon:



3. I am filing this petition in the county where I reside ☐ was convicted ☐ (check one).

Sponsors: Sen. Gardenhire, et al. / Rep. Hulsey, et al.  
Public Chapter 298 | Effective May 2, 2025

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## Restoration of Citizenship Rights Eligibility

(1) Receiving a pardon; however, a court does not have the jurisdiction to alter, delete, or render void special conditions of a pardon pertaining to the right of suffrage or the right to possess a firearm;

(2) The discharge from custody by reason of service or expiration of the maximum sentence imposed by the court for the infamous crime; or

(3) Being granted a certificate of final discharge from supervision by the board of parole pursuant to § 40-28-609, or an equivalent discharge by another state, the federal government, or county correction authority.



5. For the convictions listed above, the following is true and correct: (check all that apply)
- ☐ I received a Pardon on the date listed in the chart in paragraph 4.
- ☐ I have been discharged from custody by reason of service or expiration of the maximum sentence imposed by the court on the date listed in the chart in paragraph 4.
- ☐ I have been granted a certificate of final discharge from supervision by the board of parole or equivalent entity from another state, federal government, or county correction authority on the date listed in the chart in paragraph 4.

Sponsors: Sen. Gardenhire, et al. / Rep. Hulsey, et al. - Public Chapter 298 | Effective May 2, 2025

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# Restoration of Citizenship Rights

## Ineligibility

(b) The following persons shall never be eligible to have the right of suffrage restored and vote in this state:

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8. I have ☐ / have not ☐ (check one) been convicted of any of the following felonies under each respective date range:

<p><b>After July 1, 1986</b></p> <ul style="list-style-type: none"><li>• Voter fraud</li><li>• Treason</li><li>• First-degree murder</li><li>• Aggravated rape</li></ul>	<p><b>After July 1, 2006</b></p> <ul style="list-style-type: none"><li>• Any violation of title 39, chapter 16, part 1, 4, or 5 designated as a felony or any violation containing the same elements and designated as a felony in any other state or federal court</li><li>• Sexual offenses or violent sexual offenses that are felonies where the victim was a minor set out in T.C.A. § 40-39-202.</li></ul>
<p><b>After July 1, 1996</b></p> <ul style="list-style-type: none"><li>• Any degree of murder</li><li>• Any degree of rape</li></ul>	

Sponsors: Sen. Gardenhire, et al. / Rep. Hulsey, et al.  
Public Chapter 298 | Effective May 2, 2025

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# Restoration of Citizenship Rights

## Requirements

SECTION 7 Tennessee Code Annotated, Section 40-29-103, is amended by adding the section and subsections:

(a) A petition for restoration of rights of citizenship must:

(1) Set forth the basis for the petitioner's eligibility for restoration, including:

(A) A list of each state and federal felony conviction of the petitioner;

(B) Whether the petitioner is eligible to have the right of suffrage restored under § 40-29-102(a)(1)(i) and

(C) Whether the petitioner is prohibited from possessing a firearm under § 39-17-1307(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), (z), (aa), (ab), (ac), (ad), (ae), (af), (ag), (ah), (ai), (aj), (ak), (al), (am), (an), (ao), (ap), (aq), (ar), (as), (at), (au), (av), (aw), (ax), (ay), (az), (ba), (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), (bj), (bk), (bl), (bm), (bn), (bo), (bp), (bq), (br), (bs), (bt), (bu), (bv), (bw), (bx), (by), (bz), (ca), (cb), (cc), (cd), (ce), (cf), (cg), (ch), (ci), (cj), (ck), (cl), (cm), (cn), (co), (cp), (cq), (cr), (cs), (ct), (cu), (cv), (cw), (cx), (cy), (cz), (da), (db), (dc), (dd), (de), (df), (dg), (dh), (di), (dj), (dk), (dl), (dm), (dn), (do), (dp), (dq), (dr), (ds), (dt), (du), (dv), (dw), (dx), (dy), (dz), (ea), (eb), (ec), (ed), (ee), (ef), (eg), (eh), (ei), (ej), (ek), (el), (em), (en), (eo), (ep), (eq), (er), (es), (et), (eu), (ev), (ew), (ex), (ey), (ez), (fa), (fb), (fc), (fd), (fe), (ff), (fg), (fh), (fi), (fj), (fk), (fl), (fm), (fn), (fo), (fp), (fq), (fr), (fs), (ft), (fu), (fv), (fw), (fx), (fy), (fz), (ga), (gb), (gc), (gd), (ge), (gf), (gg), (gh), (gi), (gj), (gk), (gl), (gm), (gn), (go), (gp), (gq), (gr), (gs), (gt), (gu), (gv), (gw), (gx), (gy), (gz), (ha), (hb), (hc), (hd), (he), (hf), (hg), (hh), (hi), (hj), (hk), (hl), (hm), (hn), (ho), (hp), (hq), (hr), (hs), (ht), (hu), (hv), (hw), (hx), (hy), (hz), (ia), (ib), (ic), (id), (ie), (if), (ig), (ih), (ii), (ij), (ik), (il), (im), (in), (io), (ip), (iq), (ir), (is), (it), (iu), (iv), (iw), (ix), (iy), (iz), (ja), (jb), (jc), (jd), (je), (jf), (jg), (jh), (ji), (jj), (jk), (jl), (jm), (jn), (jo), (jp), (jq), (jr), (js), (jt), (ju), (jv), (jw), (jx), (jy), (jz), (ka), (kb), (kc), (kd), (ke), (kf), (kg), (kh), (ki), (kj), (kk), (kl), (km), (kn), (ko), (kp), (kq), (kr), (ks), (kt), (ku), (kv), (kw), (kx), (ky), (kz), (la), (lb), (lc), (ld), (le), (lf), (lg), (lh), (li), (lj), (lk), (ll), (lm), (ln), (lo), (lp), (lq), (lr), (ls), (lt), (lu), (lv), (lw), (lx), (ly), (lz), (ma), (mb), (mc), (md), (me), (mf), (mg), (mh), (mi), (mj), (mk), (ml), (mm), (mn), (mo), (mp), (mq), (mr), (ms), (mt), (mu), (mv), (mw), (mx), (my), (mz), (na), (nb), (nc), (nd), (ne), (nf), (ng), (nh), (ni), (nj), (nk), (nl), (nm), (nn), (no), (np), (nq), (nr), (ns), (nt), (nu), (nv), (nw), (nx), (ny), (nz), (oa), (ob), (oc), (od), (oe), (of), (og), (oh), (oi), (oj), (ok), (ol), (om), (on), (oo), (op), (oq), (or), (os), (ot), (ou), (ov), (ow), (ox), (oy), (oz), (pa), (pb), (pc), (pd), (pe), (pf), (pg), (ph), (pi), (pj), (pk), (pl), (pm), (pn), (po), (pp), (pq), (pr), (ps), (pt), (pu), (pv), (pw), (px), (py), (pz), (qa), (qb), (qc), (qd), (qe), (qf), (qg), (qh), (qi), (qj), (qk), (ql), (qm), (qn), (qo), (qp), (qq), (qr), (qs), (qt), (qu), (qv), (qw), (qx), (qy), (qz), (ra), (rb), (rc), (rd), (re), (rf), (rg), (rh), (ri), (rj), (rk), (rl), (rm), (rn), (ro), (rp), (rq), (rr), (rs), (rt), (ru), (rv), (rw), (rx), (ry), (rz), (sa), (sb), (sc), (sd), (se), (sf), (sg), (sh), (si), (sj), (sk), (sl), (sm), (sn), (so), (sp), (sq), (sr), (ss), (st), (su), (sv), (sw), (sx), (sy), (sz), (ta), (tb), (tc), (td), (te), (tf), (tg), (th), (ti), (tj), (tk), (tl), (tm), (tn), (to), (tp), (tq), (tr), (ts), (tt), (tu), (tv), (tw), (tx), (ty), (tz), (ua), (ub), (uc), (ud), (ue), (uf), (ug), (uh), (ui), (uj), (uk), (ul), (um), (un), (uo), (up), (uq), (ur), (us), (ut), (uu), (uv), (uw), (ux), (uy), (uz), (va), (vb), (vc), (vd), (ve), (vf), (vg), (vh), (vi), (vj), (vk), (vl), (vm), (vn), (vo), (vp), (vq), (vr), (vs), (vt), (vu), (vv), (vw), (vx), (vy), (vz), (wa), (wb), (wc), (wd), (we), (wf), (wg), (wh), (wi), (wj), (wk), (wl), (wm), (wn), (wo), (wp), (wq), (wr), (ws), (wt), (wu), (wv), (ww), (wx), (wy), (wz), (xa), (xb), (xc), (xd), (xe), (xf), (xg), (xh), (xi), (xj), (xk), (xl), (xm), (xn), (xo), (xp), (xq), (xr), (xs), (xt), (xu), (xv), (xw), (xx), (xy), (xz), (ya), (yb), (yc), (yd), (ye), (yf), (yg), (yh), (yi), (yj), (yk), (yl), (ym), (yn), (yo), (yp), (yq), (yr), (ys), (yt), (yu), (yv), (yw), (yx), (yy), (yz), (za), (zb), (zc), (zd), (ze), (zf), (zg), (zh), (zi), (zj), (zk), (zl), (zm), (zn), (zo), (zp), (zq), (zr), (zs), (zt), (zu), (zv), (zw), (zx), (zy), (zz).

9. The following is true and correct: (check one)

☐ The court did not order me to pay any restitution as part of my sentence; or

☐ All of the restitution ordered by the court as a part of my sentence has been paid; or

☐ For Federal Convictions only, 18 U.S.C. § 3613(b) applies in this case, and therefore the liability to pay has expired.

10. The following is true and correct (required for the right of suffrage): (check one)

☐ The court did not order me to pay any court costs as part of my sentence; or

☐ All court costs assessed against me have been paid; or

☐ I am indigent at the time of filing this petition for restoration of the right of suffrage and request that the Court find that I am indigent and not required to pay court costs.

11. I am ☐ / am not ☐ (check one) current on all child support obligations, including having any arrearages owed (required for the right of suffrage).

12. I have ☐ / have not ☐ (check one) been convicted of any of the following criminal offenses, which may affect my right to own a firearm, pursuant to T.C.A. § 40-29-103:

a) A felony crime of violence, an attempt to commit a felony crime of violence, or a felony involving the use of a deadly weapon pursuant to T.C.A. § 39-17-1307(b)(1)(A); or

b) A felony drug offense pursuant to § T.C.A. 39-17-1307(b)(1)(B); or

c) A misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921, and still subject to the disabilities of such a conviction pursuant to T.C.A. § 39-17-1307(f)(1).

4/25/2025 2

History: T.C.A. § 40-29-103

13. I am ☐ / am not ☐ (check one) subject to an order of protection that fully complies with 18 U.S.C. § 922(g)(8) pursuant to T.C.A. § 39-17-1307(f)(1).

14. I am ☐ / am not ☐ (check one) prohibited from possessing a firearm for having been adjudicated as a mental defective or judicially committed to a mental institution pursuant to T.C.A. § 39-17-1307(f).

15. I have ☐ / have not ☐ been adjudicated delinquent on or after July 1, 2024 for the offenses listed in T.C.A. § 39-17-1307(g).

Sponsors: Sen. Gardenhire, et al. / Rep. Hulsey, et al.  
Public Chapter 298 | Effective May 2, 2025

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# Restoration of Citizenship Rights

## Proof

(2) State the reasons the petitioner believes that the petitioner's citizenship rights should be restored;

(3) Be accompanied by satisfactory proof, such as certified records, sworn statements, and other documents or information, necessary to demonstrate to the court that the petitioner is both eligible for and merits having rights of citizenship restored; and

(4) In order to restore the petitioner's right of suffrage, include sworn statements by the petitioner demonstrating that the petitioner is eligible for restoration of the right of suffrage under § 40-29-102(b) and (c).

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16. Below are the reasons I believe that my citizen rights should be restored pursuant to T.C.A. § 40-29-103(a)(2):

Petitioner requests that the above-identified Rights of Citizenship be restored pursuant to T.C.A. § 40-29-103 et. seq and has attached to this petition satisfactory proof, such as certified records, sworn statements, and other documents or information, necessary to demonstrate to the court that Petitioner is both eligible for and merits having rights of citizenship restored.

Sponsors: Sen. Gardenhire / Rep. Hulsey  
Public Chapter 298 | Effective May 2, 2025

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# Restoration of Citizenship Rights Process

(c)(1) Prior to the court acting on a petition filed pursuant to this part, the court clerk shall notify:

(A) The district attorney general in whose county the petitioner resides and each district attorney general of the county in which each conviction occurred that a petition for restoration of rights of citizenship has been filed by the petitioner. The notice must be sent at least thirty (30) days prior to any hearing on or disposition of the petition. Each district attorney general so

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notified may object to the restoration of the petitioner's citizenship rights either in person or in writing; and

(B) The coordinator of elections and the attorney general and reporter. The notice must be sent at least thirty (30) days prior to any hearing on or disposition of the petition. The attorney general and reporter, as counsel for this state, may intervene either in person or in writing for the purpose of objecting to the petitioner's eligibility for restoration of citizenship rights.

(2) If the petitioner was rendered infamous or deprived of citizenship rights by judgment of a federal court, then the circuit court shall give the notice required in subdivision (c)(1) to the United States attorney, the district attorney general in whose district the petitioner is currently residing, the coordinator of elections, and the attorney general and reporter. The United States attorney, the district attorney general in whose district the petitioner is currently residing, and the attorney general and reporter have the same right to object to the petition as is provided in subdivision (c)(1).

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# Restoration of Citizenship Rights Hearing

(d) The petitioner has the burden of establishing by a preponderance of the evidence that the petitioner is eligible for restoration of each of the rights of citizenship sought in the petition. If an objection to the petition has not been filed with the court by a district attorney general, a United States attorney, or the attorney general and reporter within thirty (30) days of the notice sent pursuant to subsection (c), then the court may rule on the petition without a hearing.

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IN RE: RESTORATION OF CITIZENSHIP RIGHTS

(Please Print Full Name) \_\_\_\_\_ Case No. \_\_\_\_\_

**ORDER**

This matter came before the Court on the petition of the above-named individual to restore their rights of citizenship, and the state did / did not (circle one) object within 30 days of notice sent pursuant to T.C.A. § 40-29-103(c). The Court finds that pursuant to T.C.A. § 40-29-103, the petitioner has shown by a preponderance of the evidence that:

Sponsors: Sen. Gardenhire, et al. / Rep. Hulse, et al.  
Public Chapter 298 | Effective May 2, 2025

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# Restoration of Citizenship Rights Yes or No

(e)(1) The court shall order the restoration of the petitioner's full rights of citizenship and send a copy of the order to the state coordinator of elections if, upon the face of the petition or after conducting a hearing, the court finds:

(A) The petitioner is eligible for restoration of the right of suffrage under § 40-29-102(b) and (c);

(B) The petitioner is not prohibited from possessing a firearm under § 39-17-1307(b), (f)(1), (h)(1)(D), (i), or (j); and

(C) The petitioner merits having full citizenship rights restored; or

(2)(A) If, upon the face of the petition or after conducting a hearing, the court does not find that the petitioner's full citizenship rights should be restored but does find that one (1) or more of the petitioner's citizenship rights should be restored, then the court shall so order; provided, however, that:

(i) The court shall not order the restoration of the petitioner's right to possess a firearm unless the person's full rights of citizenship are being restored and the person is not prohibited from possessing a firearm under § 39-17-1307(b), (f)(1), (h)(1)(D), (i), or (j); and

(ii) The court shall not order the restoration of the petitioner's right of suffrage unless the court finds that the petitioner is eligible for restoration of the right of suffrage under § 40-29-102(b) and (c).

(B) If the court determines that the petitioner's right of suffrage should be restored, then the court shall direct that a copy of an order restoring the right of suffrage be sent to the state coordinator of elections.

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# Restoration of Citizenship Rights Order

IN THE CIRCUIT COURT FOR \_\_\_\_\_ COUNTY, TENNESSEE

IN RE: RESTORATION OF CITIZENSHIP RIGHTS

(Please Print Full Name) \_\_\_\_\_ Case No. \_\_\_\_\_

## ORDER

This matter came before the Court on the petition of the above-named individual to restore their rights of citizenship, and the state did / did not (circle one) object within 30 days of notice sent pursuant to T.C.A. § 40-29-103(c). The Court finds that pursuant to T.C.A. § 40-29-103, the petitioner has shown by a preponderance of the evidence that:

☐ Petitioner is eligible for restoration of the right to serve on a jury

☐ Petitioner is eligible for restoration of the right of suffrage under T.C.A. § 40-29-102(b) and (c)

☐ Petitioner is eligible for restoration of the right to hold public office

☐ Petitioner is eligible for restoration of the right to execute a fiduciary office

☐ Petitioner is eligible for restoration of the right to possess a firearm because Petitioner is not prohibited from possessing a firearm under T.C.A. § 39-17-1307(b), (f)(1), (h)(1)(D), (i), or (j)

Therefore, it is ORDERED that the following rights of citizenship are hereby restored to Petitioner:

☐ Right to serve on a jury

☐ Right of suffrage

☐ Right to hold public office

☐ Right to execute a fiduciary office

☐ Right to possess a firearm

or,

☐ The court DENIES the restoration of any rights because the petitioner is not eligible

and

☐ Costs shall be taxed against the Petitioner for which execution may issue, or

☐ Costs are waived because the Court finds that Petitioner is indigent

IN THE CIRCUIT COURT FOR \_\_\_\_\_ COUNTY, TENNESSEE

### CERTIFICATE OF SERVICE

I hereby certify that foregoing has been delivered by hand delivery or by U.S. Mail to all parties to this action on this date:

Signature of Server \_\_\_\_\_ Title of Server \_\_\_\_\_

Tax \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_

(I, signifier have been entered, the Clerk will file a copy of this Order upon receipt by the Clerk's Office of the Court.)

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# Restoration of Citizenship Rights Costs

(f) All costs for a proceeding under this part must be paid by the petitioner; however, the court may waive the costs if the defendant is indigent.

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and

☐ Costs shall be taxed against the Petitioner for which execution may issue, or

☐ Costs are waived because the Court finds that Petitioner is indigent

\_\_\_\_\_  
Judge's Name

\_\_\_\_\_  
Judge's Signature

\_\_\_\_\_  
Date of Entry of Order

*Sponsors: Sen. Gardenhire, et al. / Rep. Hulsey, et al.  
Public Chapter 298 | Effective May 2, 2025*

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# Less is More Act

- Moves oversight of court reporters to Commerce & Insurance.
- Deletes Board of Court Reporting
- For granting licenses, establishing ethics rules, fees, investigate complaints, etc.



Public Chapter 524 | Sponsors: Rep. Lamberth; Sen. Johnson | Effective: July 1, 2025.

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## Residency Requirements for Municipal Judges



- Protects current municipal judges from disqualification due to residency issues.
- McNabb v. Harrison ruling to apply prospectively.
- Ensures actions of non-resident judges remain valid during their term.

Public Chapter 487 | Sponsors: Rep. Helton-Haynes; Sen. Gardenhire | Effective: May 21, 2025

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## Comprehensive Reform of Clerk Fees



- Revises clerk filing fees, costs, and commissions across courts.
- Adds flexibility for indigency and electronic filing systems.
- Establishes new clerk education fund from litigation tax.

Public Chapter 486 | Sponsors: Rep. Farmer; Sen. Bailey | Effective: Jan. 1, 2026

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## Part V Three Judge Panel



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## Three-Judge Panel addition



Adds challenges to charter amendments being placed on ballots.



*Sponsors: Sen. Rose, Sen. Bowling / Rep. Vaughan, et al.  
Public Chapter 249 | Effective April 24, 2025*

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## State oversight of local gov't actions – 3JP

Attorney General may review local government actions for violations of state law or the Tennessee Constitution.

If a violation is found, written notice must be sent to the local government identifying the issue.

Local governments have **60 days** to:

- Repeal or revise the action and notify the AG, or
- Challenge the AG's findings before a **three-judge panel**.

If no action is taken, the AG may initiate legal proceedings for a declaratory judgment.

If the three-judge panel finds a violation:

- **All state funds** (including state-shared taxes) must be **withheld** from the local government.
- Funding resumes only after the violation is resolved and approved by the panel.

**Exemptions:** Funds cannot be withheld if it violates federal law, binding court judgments, state contracts, or constitutional obligations.

*Sponsors: Sen. Lowe / Speaker Sexton  
Public Chapter 514 | Effective: applies to local laws enacted on or after July 1, 2025*

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# Part VI

## Criminal



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## Post-Conviction Relief: Coram Nobis Reform



- D serves DA with writ
- D and DA must agree and jointly file petition
- Otherwise same rules for writ of error coram nobis



Sponsors: Rep. Freeman, et al. / Sen. Gardenhire, et al.  
Public Chapter 282 | Effective April 24, 2025

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## Failure to Appear: Capias/ Bench Warrant Tracking Mandates



- Reduces timeline in current law for FTA for felony or A/B misdemeanor that is violence or sexual in nature
- Protects sureties from liability if warrants are not properly entered.



Sponsors: Rep. Doggett, Speaker Sexton / Sen. Gardenhire, et al.  
Public Chapter 352 | Effective July 1, 2025

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## Digital Tools Involving Simulated Child Exploitation



Creates new felony offenses for possessing, distributing, or producing tech/software designed to simulate child sexual content.

Penalties range from Class E to Class B felonies depending on conduct.



Sponsors: Sen. Yager, et al. / Rep. Littleton, et al.  
Public Chapter 257 | Effective July 1, 2025

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## Criminal Notification System – Expansion and permanency



Removes 'pilot  
program' status from  
criminal proceedings  
notification system  
law.



*Sponsors: Rep. Lamberth / Sen. Johnson  
Public Chapter 354 | Effective May 2, 2025*

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## Expanded Definition of Crime of Violence'



- Adds new crimes such as trafficking for commercial sex and felony child abuse.
- Affects firearm possession restrictions and other statutes using this definition.

*Sponsors: Sen. Rose / Rep. Doggett, et al.  
Public Chapter 211 | Effective July 1, 2025*

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## Abortion Statute: Medical Condition Clarifications



- Defines 'inevitable abortion' and expands definition of serious medical risks (MAY).
- *Phillips, Blackmon, et al v. State of Tenn.*
- Clarifies that mental health conditions are not included in exceptions.

*Sponsors: Sen. Briggs, et al. / Rep. Terry, Rep. Helton-Haynes  
Public Chapter 217 | Effective April 17, 2025*

42

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## Mandatory Mental Health Evaluation for Certain Offenses



- Requires outpatient evaluation before sentencing for domestic assault, child abuse, and animal cruelty.
- Court may include treatment recommendations as part of sentencing.
- Costs paid by defendant unless found indigent.



Public Chapter 511 | Sponsors: Rep.Sexton; Sen.Massey | Effective: Jan.1, 2026.

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## Mandatory Behavioral Training for Misdemeanors



- Requires behavioral training for Class A misdemeanors in general sessions court.
- Courses must be accessible, affordable, and interactive.
- Noncompliance can lead to contempt and jail time.

Public Chapter 481 | Sponsors: Rep. Scarbrough; Sen. Roberts | Effective: July 1, 2025

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## Savanna's Law: Domestic Violence Offender Registry



- Creates public registry for repeat offenders of domestic abuse.
- Requires courts to order registration upon second conviction.
- Includes photo, name, birthdate, convictions; excludes addresses.



Public Chapter 520 | Sponsors: Rep. Kumar; Sen. Massey | Effective: Jan.1, 2026.

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## Threats of Mass Violence KNOWINGLY



- Change is - KNOWINGLY
- Threats of mass violence by any communication are Class E felonies.
- Class D felony if involving schools, worship, events, or detailed planning.
- Allows court to order restitution for disruption.
- CRIMINILIZES DOXING

Public Chapter 522 | Sponsors: Rep. Lamberth; Sen. Johnson | Effective: July 1, 2025.

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## Recovery Residence Certification & Rules



- Defines minimum standards for recovery residences including safety, oversight, and resident protections.
- Certifying organizations must conduct annual inspections and follow defined protocols.



Sponsors: Sen. Jackson, et al. / Rep. Littleton  
Public Chapter 406 | Effective Jan. 1, 2026 (rules effective immediately)

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## Fentanyl Possession Minimum Sentence & Lifetime OP



- Sets 30-day minimum jail time for fentanyl and related opioid possession.
- Allows criminal courts to issue Lifetime OP upon conviction (unrelated to fentanyl).

Sponsors: Sen. Johnson, et al. / Rep. Lamberth, et al.  
Public Chapter 462 | Effective July 1, 2025

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## Racketeering Statute Expanded



Adds organized retail crime and firearm possession during dangerous felonies to RICO predicate offenses.



*Sponsors: Sen. Hensley / Rep. Scarbrough  
Public Chapter 374 | Effective July 1, 2025*

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## Expanded Unlawful Photography Offenses

- Clarifies consent and expands coverage to minors.
- Increases penalties based on victim's age or defendant's position of trust.
- Requires sexual offender registration for certain offenses.

*Public Chapter 474 | Sponsors: Rep. Bulso; Sen. White | Effective: July 1, 2025*

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## Child Abuse Penalty Increased



- Upgrades penalty from Class A misdemeanor to Class E felony.
- Applies to child abuse offenses committed on or after July 1, 2025.

*Public Chapter 472 | Sponsors: Rep. McCalmon; Sen. Johnson | Effective: July 1, 2025*

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## Child Exposure to Fentanyl = Felony



- Creates Class E felony for endangerment of a child via fentanyl exposure.
- Elevated to Class B felony if child is 8 or younger.
- Requires toxicology confirmation of exposure.



Public Chapter 499 | Sponsors: Rep. Faison; Sen. Briggs | Effective: July 1, 2025

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## Expanded Definition of 'Dangerous Felony'



- Adds crimes like human trafficking, aggravated burglary, and stalking.
- Lesser included offenses also count if they meet the 'dangerous felony' criteria.
- Impacts firearm possession and sentencing enhancements.

Public Chapter 492 | Sponsors: Rep. Doggett; Sen. Johnson | Effective: July 1, 2025

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## Dismissal of Charges After Two Years of Incompetency



- Misdemeanor charges must be retired after 2 years if defendant remains incompetent. --- extended from 11/29
- Court and sheriff must be notified upon discharge with outpatient safety plan.
- Does not apply if competency is restored before deadline.

Public Chapter 519 | Sponsors: Rep. Williams; Sen. Hatcher | Effective: July 1, 2025.

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# Part VI

## Bail

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## Board of Professional Bondsmen




- Board created under Commerce & Insurance to license and regulate bonding companies
- Court still may deny, withhold, suspend, or revoke privileges in that court
- One judge will be on the Board (appointed by Governor)
- AOC shall provide a list of all licensed bondsmen in this state upon request of the Board. Request must be made prior to March 1, 2026

*Sponsors: Rep. Daggett / Sen. Haile  
Public Chapter 491 | Effective July 1, 2025 (for purposes of appointing the Board)*

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## Bail – Constitutional Amendment



Proposed constitutional amendment

Gives judges/magistrates discretion to deny bail for:

- Capital offense
- Terrorism
- Second degree murder
- Agg rape of a child
- Agg rape
- Grave torture
- Any 100% sentence offense as of November 2026 (long list of violent crimes)

*Sponsors: Sen. Johnson (SJR25) / Speaker Sexton (HJR49)  
It will be on the next gubernatorial ballot*

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## Venue for Violations of Release Conditions



- Clarifies venue for prosecuting violations of release conditions.
- Allows prosecution in any county where elements of the offense occurred.

*Sponsors: Rep. Stevens, Rep. Fritts / Sen. Taylor, Sen. Bowling  
Public Chapter 188 | Effective April 11, 2025*

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## Qualified Electronic Monitoring Providers



- Establishes qualifications, training, and oversight standards for electronic monitoring providers.
- Local gov't will keep track
- Requires detailed reporting, insurance, staff screening, and court coordination.



*Sponsors: Sen. Rose, Sen. Haile, Sen. Jackson / Rep. Doggett, Rep. Hardaway, Rep. White  
Public Chapter 253 | Effective July 1, 2025*

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### Qualified Electronic Monitoring Providers (continued)

#### If a defendant fails to pay for their GPS monitoring device or victim alert device:

- The monitoring provider must notify the court and defendant in writing within 5 days of the arrearage.

#### Upon notification:

- The court must schedule a show cause hearing within 10 days, to be held within 30 days.
- The court clerk must notify:
  - The provider
  - The defendant
  - The victim
- The victim must be informed of their right to attend and testify at the hearing.

#### Monitoring and victim alerts may not be discontinued until the show cause hearing occurs.

- At the show cause hearing, the court may:
  - (A) Schedule a bond revocation hearing to consider jailing the defendant.
  - (B) Allow the defendant to pay the balance and remain on pretrial release.
  - (C) Determine whether alternative funding sources are available to cover the arrears and future costs.
    - Alternative funding sources:
      - May be ordered to pay if available.
      - Do not include the sheriff's department or other local government entities unless a local fund has been explicitly established for this purpose.

#### After the hearing:

- If it occurs or is not held within 30 days:
  - The provider is not required to continue services if they are not being compensated as ordered by the court.

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## Use of Reliable Hearsay in Bail Decisions

- Authorizes magistrates to consider reliable hearsay in pretrial release and bail decisions.
- Defendants must be given an opportunity to rebut the hearsay evidence.

*Sponsors: Sen. Taylor, Sen. Rose, Sen. Stevens / Rep. Lamberth, Rep. Hardaway, Rep. Davis  
Public Chapter 262 | Effective April 24, 2025*

A cartoon illustration of a courtroom scene. A judge in a black robe is standing at a bench, looking towards a group of people. One person is speaking, and a speech bubble contains the text: "LADIES AND GENTLEMEN OF THE JURY WE HAVE HEARSAY EVIDENCE FROM THE LADY WHO TOLD A FRIEND OF HER HANDSOME COUSIN 'JAILBEE' WHAT MORE DO WE NEED?". The judge is looking at the speaker with a questioning expression. The cartoon is signed "© 2014/2015 Artist" and "Reproduction rights obtainable from www.CartoonStock.com".

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## Bail Bond Fee Transparency & Installments

- Standardizes bail bond premium disclosures for residents and non-residents.
- Set at 10% as the premium
- Permits installment payments with 50% upfront and full payment within 12 months.

*Sponsors: Sen. Gardenhire, Sen. Haile, Sen. Jackson / Rep. Doggett  
Public Chapter 318 | Effective July 1, 2025*

A small text box titled "NOTICE IF YOU USE A PROFESSIONAL BONDSMAN". It contains legal text regarding bail bond premiums and installment payments. The text is small and dense, but it outlines the requirements for professional bondsmen under the new law.

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## Bondsman Exoneration for Good Faith Efforts – hearing required

- Court shall hold a hearing during which the bondsmen may state the good faith efforts made to locate and assure the appearance of the principal.
- Preponderance of the evidence
- Court may release or exonerate the bondsman of their obligations in the case

*Sponsors: Sen. Jackson, Sen. Haile / Rep. Scarborough  
Public Chapter 395 | Effective July 1, 2025*

The official seal of the State of Tennessee, featuring a central figure and the words "THE GREAT SEAL OF THE STATE OF TENNESSEE".

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## Juvenile Record Use in Pretrial Settings



- Allows prior juvenile adjudications to be used in bond determinations if within past 5 years.
- Limits scope of use to specific pretrial and sentencing contexts.



Sponsors: Sen. Taylor, Sen. Rose / Rep. Gillespie, et al.  
Public Chapter 414 | Effective May 9, 2025

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## Part VII Expunction



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## Comprehensive Expunction Statute Cleanup



- Reorganized the statute to make it easier to read and understand
- 3 changes:
  1. Cannot expunge not guilty for reason of insanity
  1. Adds inchoate offenses to eligible felonies
  1. TBI shall provide court with copy of the certificate containing determination, or explanation why determination can't be reached



Sponsors: Sen. Roberts / Rep. Doggett, Rep. Howell  
Public Chapter 268 | Effective April 24, 2025

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# Part VIII

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## Civil

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## Bankers Omnibus Trust Bill



**Sections 1-2. When a Public Trustee Can be Appointed**

Current law, TCA § 30-1-404, allows a court to appoint a public trustee in certain situations where the trust estate does not exceed \$100,000, including when a currently serving trustee dies or resigns, if no substitute trustee is designated in the trust; the trust does not provide for the appointment of successor and no beneficiary petitions for the appointment of successor within three months after vacancy; or a court determines that a small trust should not be terminated but a successor should be appointed.

The proposed change would also allow a court to appoint a public trustee regardless of the market value of the trust estate and in situations where a provision for appointment of the trustee is unable to be implemented and/or if the current trustee does not petition for the appointment of a successor trustee within three months



*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*

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## Bankers Omnibus Trust Bill



**Sections 3-4, 9-10. Access to Electronic Records**

This amends provisions within the Trust Code relevant to providing required notices to certain persons to take into account that notice of certain information, documents, etc. may be given via through an electronic method that grants access to the information rather than sending the information directly to the recipient. For example, notifying a person electronically that he/she may access trust-related information by creating an account and logging into a website.



*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*

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## Bankers Omnibus Trust Bill

**Section 5. Clarify that Notice Sent to a Person's Representative is Actual Notice**

Clarifies in TCA § 35-15-301 that notice, information, accountings or reports provided to a person who may represent and bind another person may serve as a substitute for and have the same effect as providing such information directly to the person being represented.

*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*



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## Bankers Omnibus Trust Bill

**Section 6. Allow Blanket Assignment of Certain Property to Fund Revocable Trusts**

This adds a provision in TCA § 35-15-402(d) clarifying that a blanket assignment of tangible personal property (other than money, evidences of indebtedness, documents of titles, securities and property in trade or a business) is effective to fund a revocable trust, while other types of property are subject to the general rules about specificity. This can be achieved by assigning applicable property to a trust by delivery of a written instrument that is signed by the transferor, identifies the property in general terms, and specifically identifies the trust.

*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*



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## Bankers Omnibus Trust Bill

**Section 7. Failure to Reimburse a Trustee Creates a Lien Against Trust Property**

TCA § 35-15-709(a) provides that a trustee, trust advisor, or trust protector is entitled to be reimbursed out of the trust property for expenses incurred in the trust's administration. Subsection (b) provides that an advance of money by a trustee for the protection of the trust gives rise to a lien against the trust property to secure reimbursement, but it is narrowly written and implies that a lien is only available for money expended for the "protection of the trust." It does not provide much clarity into what that means and does not give protection for a trustee for all properly incurred expenses, such as mentioned in (a).

This change would allow for a lien to facilitate the recovery of for all valid expenses such as expenses incurred in administering the trust (i.e., fees) or for making advancements to the trust if it were to have a period of illiquidity. It would also allow a lien for costs incurred in trying to recover expenses

*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*



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## Bankers Omnibus Trust Bill

### Section 8. Tax Reimbursement for a Grantor Trust

This creates a new statute, TCA 35-15-819, that makes tax reimbursement for a grantor trust a statutory default rule and provides that unless the terms of a trust instrument provide that a settlor is not to be reimbursed for the settlor's personal income tax liability and if the settlor is the owner of all or part of the trust for income tax purposes, a disinterested trustee may reimburse the settlor for any amount of the settlor's personal federal, state, local, or other income tax liability that is attributable to the inclusion of the trust's income, capital gains, deductions, and credits in the calculation of the settlor's taxable income.

- A trustee may pay such amount to the settlor directly or directly to the appropriate taxing authority.
- Specifies that the settlor shall not be deemed to be a beneficiary of the trust solely based on this power.
- This provision would not take effect until December 31, 2025

*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*



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## Bankers Omnibus Trust Bill

### Section 11. Non-Beneficiary May Serve as a Non-Fiduciary

This adds a new subsection to TCA § 35-15-1202 that codifies a provision in the Official Comments allowing a non-beneficiary to serve as a trust advisor or trust protection in a non-fiduciary role if specifically appointed in such capacity, similar to subsection (a) that allows a beneficiary to serve as a trust advisor or trust protector in a non-fiduciary role. The new subsection provides a standard of care for that role, which person would be liable for acting in bad faith or reckless indifference.

*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*



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## Bankers Omnibus Trust Bill

### Section 12. Submission of Changes to Official Comments

Section 16 allows the Tennessee Bankers Association to submit revised official comments for relevant trust statutes to the Tennessee Code Commission by May 19, 2025, to be published in the Tennessee Code.

*Sponsors: Rep. Garrett, Rep. Farmer / Sen. Stevens  
Public Chapter 101 | Effective July 1, 2025*



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## Firearm Liability & Product Protection

- Limits civil liability against firearm and accessory manufacturers/sellers for third-party misuse.
- Restricts enforcement of foreign judgments conflicting with Tennessee policy.
- Broadens definition of protected 'qualified products' to include accessories, knives, optics, and more.



Sponsors: Sen. Hensley, et al. / Rep. Fritts, et al.  
Public Chapter 329 | Effective July 1, 2025

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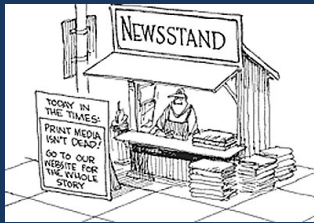
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## Updated Foreclosure Notice Requirements

- Requires online notice by third-party website and at least 2 newspaper ads (from 3)
- Sets specific rules for adjournments, notice delivery, and web platform approval.
- Applies to all foreclosures of \$200+ unless excluded by contract.



Public Chapter 515 | Sponsors: Rep. Farmer; Sen. Lowe | Effective: July 1, 2025.

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# Part IX

## Family Law

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## Expanded Access to Adoption and Post-Adoption Records



- Lowers age for adopted persons to access records from 21 to 18.
- Authorizes adoptive parents, DCS, and prosecutors to access records in specific abuse/neglect cases.
- Permits access to identifying information if biological parent is deceased, including in rape/incest cases.

*Sponsors: Rep. Lamberth, et al. / Sen. Johnson, Sen. Haile  
Public Chapter 79 | Effective July 1, 2025*

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## Child Custody and Supervised Visitation Fee Reform



- Requires findings when supervised visitation is based on statutory parental limitations.
- Creates presumption that offending parent pays all fees for supervised visitation.
- Clarifies abuse may include indirect acts through third parties.

*Sponsors: Sen. Massey, et al. / Rep. Alexander, et al.  
Public Chapter 265 | Effective July 1, 2025*

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## Child Support and Grandparent Visitation Updates



- Clarifies that failure to pay support may justify custody limitations.
- Allows attorney's fees in grandparent visitation actions
- Updates parenting responsibility standards and statutory references.



*Sponsors: Sen. Stevens, et al. / Rep. Farmer, Rep. Alexander  
Public Chapter 321 | Effective May 2, 2025*

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## Economic Disadvantage Not Grounds for Termination



Prohibits use of economic disadvantage as sole basis for terminating parental rights or finding neglect.

*Sponsors: Sen. Jackson, et al. / Rep. Hurt, et al.  
Public Chapter 322 | Effective July 1, 2025*

82

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## Sibling Adoption Filing Reform



- Allows single adoption petition for siblings unless court orders otherwise.
- Limits filing fees to one for such petitions.

*Sponsors: Sen. Haile, et al. / Rep. Farmer, et al.  
Public Chapter 386 | Effective May 5, 2025*

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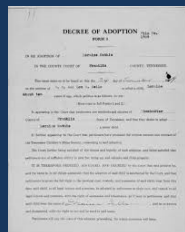
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## DCS Access to Adoption Records for Kinship Placement



Authorizes DCS to access sealed adoption records to locate kinship foster placements.



*Sponsors: Sen. Haile, Sen. Lowe / Rep. Littleton, et al.  
Public Chapter 393 | Effective May 5, 2025*

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## Conservatorship Management Task Force Created



- Establishes task force to review conservatorship systems, fraud risk, oversight, and public education.
- Includes state agency heads and appointees from the judiciary, clerks, and advocacy groups.
- Reports findings annually beginning December 31, 2025.

*Sponsors: Sen. Akbari, et al. / Rep. Clemmons, et al.  
Public Chapter 417 | Effective July 1, 2025 (appointments effective upon signing)*

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## Part VII Next Year



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## Extra-judicial surrender



- Bill from The Adoption Project
- They want surrender to be available "by affidavit acknowledged before a notary public and in the presence of two witnesses"

*Sponsors: Sen. Stevens / Rep. Slater  
SB1238 / HB1263*

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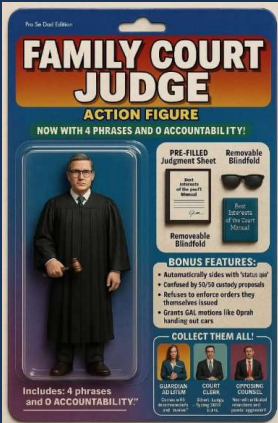
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## 50/50 custody

- Americans for Equal Shared Parenting
- Rebuttable presumption that both parents get 50/50 joint custody.

Sponsors: Sen. Yarbrow / Rep. Parkinson  
SB1331 / HB1131



The image shows the packaging for a 'Family Court Judge' action figure. The packaging is blue and orange, featuring a judge in a black robe. Text on the box includes 'FAMILY COURT JUDGE ACTION FIGURE', 'NOW WITH 4 PHRASES AND 0 ACCOUNTABILITY!', 'PRE-FILLED Judgment Sheet', 'Removable Blindfold', and 'BONUS FEATURES: Automatically sides with 'Nuts', Confused by 50/50 custody proposals, Refuses to enforce orders they themselves issued, Grants GAI motions like Oprah handing out cars'. It also says 'COLLECT THEM ALL!' and shows three other judge figures. At the bottom, it says 'Includes: 4 phrases and 0 ACCOUNTABILITY!'.

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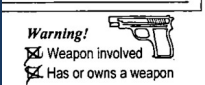
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## OP form and 3<sup>rd</sup> party dispossession of firearms

- TNDVSCC
- To list name of third party taking the firearm(s)
- Bill requires third party to sign the affidavit

Sponsors: Sen. Massey / Sen. Keisling  
SB1244 / HB1210



The image shows a warning sign with a handgun icon. The text reads 'Warning! Weapon involved' and 'Has or owns a weapon'. There are checkboxes next to each line, both of which are checked.

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## Thanks for listening!

If you have questions or comments, please contact us

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