



State of Tennessee

PUBLIC CHAPTER NO. 879

HOUSE BILL NO. 1929

By Representatives Curcio, Love

Substituted for: Senate Bill No. 2214

By Senator Swann

AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 24, Part 1, relative to sober living homes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Stopping Addiction and Fostering Excellence (SAFE) Act."

SECTION 2. Tennessee Code Annotated, Title 13, Chapter 24, Part 1, is amended by adding the following new section:

(a) As used in this section:

(1) "Municipality" means an incorporated city or town, or a county with a metropolitan form of government; and

(2)

(A) "Sober living home" means any home classified as a "single family residence" under § 13-24-102 that provides alcohol-free or drug-free housing, promotes independent living, life skill development, and reintegration, and provides structured activities that are directed primarily toward a group of unrelated individuals who are recovering from drug or alcohol addiction and who may be receiving outpatient healthcare services for substance abuse or addiction treatment while living in the home;

(B) "Sober living home" does not mean:

(i) A home that is chartered by a 501(c)(3) nonprofit organization that:

(a) Serves as an umbrella organization and organizes homes into chapters; and

(b) Is governed by a council and board of directors that maintain the sole right to charter, and revoke the charter of, a home;

(ii) A home that is an affiliate of a 501(c)(3) nonprofit organization located in this state that:

(a) Pre-screens new affiliates;

(b) Requires affiliates to adhere to a code of ethics;
and

(c) Requires affiliates to make an annual contribution based on the number of recovery residences;
or

(iii) A home or facility that is licensed or funded by the department of mental health and substance abuse services.

(b) A municipality may adopt an ordinance requiring each sober living home to display in a prominent place within the sober living home, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

NOTICE: THIS IS A SOBER LIVING HOME THAT PROVIDES HOUSING TO MEN AND/OR WOMEN WHO DO NOT REQUIRE MORE STRUCTURED TREATMENT ENVIRONMENTS. THIS HOME PROMOTES INDEPENDENT LIVING, LIFE SKILL DEVELOPMENT, AND REINTEGRATION. THIS HOME IS DESIGNED TO ASSIST MEN AND/OR WOMEN TO RECOVER FROM DRUG OR ALCOHOL ADDICTION. **THIS HOME IS NOT LICENSED OR FUNDED BY THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES** AS IT IS PRIVATELY FUNDED AND DOES NOT PROVIDE TREATMENT SERVICES.

IF YOU ARE IN NEED OF TREATMENT SERVICES, PLEASE CALL THE TENNESSEE REDLINE AT 1-800-889-9789.

IF YOU WOULD LIKE ADDITIONAL INFORMATION REGARDING ADDITIONAL SUBSTANCE ABUSE SERVICES AND RESOURCES, INCLUDING SOBER LIVING OPTIONS, PLEASE VISIT THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES WEBSITE AT <https://www.tn.gov/behavioral-health.html>. THIS IS A NOTICE POSTED PURSUANT TO [MUNICIPALITY CODE REFERENCE].

(c) A municipality shall display in the city hall or other building which houses the municipality's seat of local government, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

PURSUANT TO TENNESSEE CODE ANNOTATED § 33-2-405, IT IS UNLAWFUL FOR A PERSON, PARTNERSHIP, ASSOCIATION, OR CORPORATION TO OWN OR OPERATE A SERVICE OR FACILITY THAT PROVIDES ALCOHOL AND DRUG ABUSE PREVENTION AND/OR TREATMENT WITHIN THE MEANING OF TITLE 33 OF THE TENNESSEE CODE ANNOTATED WITHOUT HAVING OBTAINED A LICENSE. A VIOLATION OF THIS REQUIREMENT IS A CLASS B MISDEMEANOR. EACH DAY OF OPERATION WITHOUT A LICENSE CONSTITUTES A SEPARATE OFFENSE. REPORT ANY SUSPECTED UNLICENSED ALCOHOL AND DRUG ABUSE PREVENTION AND/OR TREATMENT SERVICES TO THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES' OFFICE OF LICENSURE BY DIALING [WEST TENNESSEE LICENSURE OFFICE PHONE NUMBER; MIDDLE TENNESSEE LICENSURE OFFICE PHONE NUMBER; OR EAST TENNESSEE LICENSURE OFFICE PHONE NUMBER, AS APPLICABLE TO THE LOCATION OF THE MUNICIPALITY].

(d) If a municipality maintains a website, the notice required under subsection (c) must be placed prominently on the municipality's website.

(e) A municipality may adopt an ordinance encouraging sober living homes to:

(1) Become chartered by an organization described under (a)(2)(B)(i); or

(2) Comply with the requirements for recovery residences prescribed by an organization described under subdivision (a)(2)(B)(ii).

(f) Any ordinance adopted under this section must comply with the Fair Housing Act, 42 U.S.C. § 3601 et seq., and the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

HOUSE BILL NO. 1929

PASSED: April 18, 2018



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY McNALLY
SPEAKER OF THE SENATE

APPROVED this 3rd day of May 2018



BILL HASLAM, GOVERNOR