



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 315**

**SENATE BILL NO. 1443**

**By Bailey, Dickerson**

Substituted for: House Bill No. 602

By Marsh, Todd

AN ACT to amend Tennessee Code Annotated, Title 7 and Title 62, Chapter 32, relative to restrictions on a local government's authority related to regulation of private businesses.

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

SECTION 1. Tennessee Code Annotated, Section 62-32-321(e), is amended by designating the existing language as subdivision (1) and adding the following as subdivision (2):

(2) Notwithstanding subdivision (e)(1) or a charter, ordinance, or resolution to the contrary, a county or municipality shall not enact any legislation, ordinance, or resolution requiring an alarm systems contractor or alarm business to pay for, collect, or be responsible for fines or fees relative to false alarms, false alarm dispatches, alarm permits, or alarm renewal permits.

SECTION 2. Tennessee Code Annotated, Section 62-32-321, is amended by adding the following new subsections:

(f) Notwithstanding a charter, ordinance, or resolution to the contrary, a county or municipality shall not require an alarm systems contractor or alarm business to acquire or pay for a permit or renewal permit to operate an alarm system at an alarm site that is owned or leased by a customer of the contractor or business. However, this subsection (f) does not apply to an installation permit required by code.

(g) Notwithstanding subdivision (e)(2) and subsection (f), an alarm systems contractor or alarm business:

(1) Shall collect monies until December 31, 2019, from a customer of the contractor or business to pay for an annual alarm permit fee imposed on the customer by the county or municipality pursuant to this section if the contractor or business was collecting that fee prior to the effective date of this act; and

(2) May, in the sole discretion of the contractor or business, collect monies from a customer of the contractor or business to pay for an annual alarm permit fee imposed on the customer by the county or municipality pursuant to this section if the customer agrees to such collection by the contractor or business.

(h) A contractor or business that collects monies pursuant to subsection (g):

(1) Shall pay the collected monies to the applicable county or municipality in accordance with the deadline established by the applicable county or municipality for the payment of the collected monies;

(2) May stop the collection of monies pursuant to subdivision (g)(2) at any time in the sole discretion of the contractor or business; and

(3) Is not subject to an audit by the county or municipality relative to the collection of monies pursuant to subsection (g).

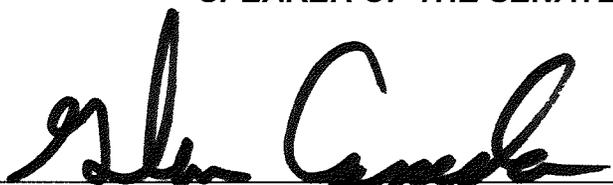
SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1443

PASSED: April 23, 2019

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
GLEN CASADA, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 8<sup>th</sup> day of May 2019

  
BILL LEE, GOVERNOR