

TENNESSEE GOVERNMENT UPDATE

NEWS FOR THE CLIENTS AND FRIENDS OF BASS, BERRY & SIMS PLC

April 9, 2010

The Tennessee General Assembly began its formal consideration of matters pertaining to the state budget for next year. On Wednesday, Commissioner of Revenue Reagan Farr presented the text and a summary of the department's so-called technical corrections bill. This bill is the vehicle to raise approximately \$50 million in new revenue to avoid additional cuts to state expenditures. There was no discussion or vote, and the future of the measure is not certain.

The best estimate for adjournment of the 106th General Assembly is five or six more weeks (May 15 or May 22). The legislature has no certain date by which it must adjourn. Each house has 90 floor-session (legislative) days available for the two-year session. To date, the Senate has used 79 legislative days; the House has used 71. The Senate will convene on the floor twice this coming week; the House three times.

Legislators may raise money for re-election campaigns beginning May 15, regardless of whether the General Assembly has adjourned.

State Attorney General Bob Cooper recently issued an opinion on legislative demands that he sue the federal government on the basis that the new federal health reform legislation is unconstitutional. Cooper opined that newly-passed federal legislation pre-empts state law. He also suggested that attempts by the General Assembly to require him to sue the federal government on behalf of the state "could also raise separation of powers concerns...." [Opinion No. 10-43 is available here.](#)

[The Tennessean reported](#) that Lieutenant Governor Ron Ramsey, a candidate for the Republican nomination for governor, "would be open to hiring an outside lawyer to represent the state in a lawsuit challenging federal health-care for reform after the Attorney General indicated he was unwilling to do so."

The new version of the guns-in-bars bill passed in the House budget subcommittee by a vote of 9-6. The bill will allow hand-gun carry permit holders to bring weapons into any place of business that serves alcohol, unless the owner posts signs prohibiting firearms. The Tennessee Hospitality Association considers anti-gun signs at every entrance to hotels and restaurants inhospitable. [The Commercial Appeal has the story.](#)

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