



Enacted Law Bulletin

May 29, 2012

State:	Tennessee
Topic:	Tennessee Construction Service Providers to Face Lower Registration, Exemption Fees
Impact:	Workers' Compensation
Effective Date:	May 21, 2012 and January 1, 2013 (revised fee schedule)
Bill Number:	S-2923
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Executive Summary

Tennessee has enacted Senate Bill 2923 which clarifies, for venue purposes, a party's authority to file a workers' compensation action in the county in which the employee "resided at the time of the alleged injury." The law also decreases by 50 percent the maximum amount of registration and workers' compensation exemption fees that the Secretary of State may charge construction service providers. The law became effective immediately upon the governor's approval on May 21, 2012 but the revised fee schedule will become effective on January 1, 2013.

Workers' Compensation Amendments

Venue of Workers' Compensation Actions

Until Senate Bill 2923 was enacted, Section 50-6-225(a)(2)(A) of the Tennessee Code read as follows:

(2)(A) In the event the parties are unable to reach an agreement at the benefit review conference as to all issues related to the claim or the benefit review conference process is otherwise exhausted pursuant to rules promulgated by the commissioner, either party may file a civil action as provided in § 50-6-203 in the circuit or chancery court in the county in which the employee resides or in which the alleged injury occurred. In instances where the employee resides outside of the state and where the injury occurs outside of the state, the complaint shall be filed in any county where the employer maintains an office.

Section 1 of S- 2923 amends Section 50-6-225(a)(2)(A) by replacing references of "resides" with "resided at the time of the alleged injury." The intent of the amendment is to clarify, for venue purposes, that a cause of action accrues where the employee resided when the injury occurred.

Fee Schedule for Construction Service Providers

Until S-2923 was enacted, Section 50-6-912(a) required the Secretary of State to collect the following fees from construction service providers:

1. The issuance of a construction services provider registration to providers who have not been issued a license by the board, \$100

2. The issuance of a construction services provider workers' compensation exemption, \$100
3. The filing of correction information pursuant to Section 50-6-905(c), \$20
4. The filing of change of address information pursuant to Section 50-6-905(d), \$20
5. The filing of a construction services provider workers' compensation exemption renewal, \$100
6. The filing of a construction services provider registration renewal to providers who have not been issued a license by the board, \$100
7. The filling of a revocation pursuant to Section 50-6-908(a), \$20
8. The issuance of a copy of the notice issued pursuant to Section 50-6-905(a)(1), \$20
9. The issuance of a second or subsequent construction services provider workers' compensation exemption registration, \$20 per registration
10. The filing of a second or subsequent construction services provider workers' compensation exemption renewal, \$20 per renewal

Section 2 of S-2923 reduces all of the \$100 maximum fees for a construction provider to \$50. While the Secretary of State shall start implementation of the revised fee schedule immediately on May 21, 2012, the revised fee schedule will not take effect until January 1, 2013 and will apply to registrations and renewals filed on or after this date.

Effective Date

S-2923 became effective immediately upon the governor's approval on May 21, 2012 except for the revised fee schedule for construction service providers which becomes effective on January 1, 2013.

Additional Information

Bill text is available on the PCI member Web site, www.pciaa.net. Select Advocacy, State and use the Legislation and Regulation Database link.

The enacted law is also tracked in the PCI *Legislative Tracking Report* and the *New Law Alert*. Sign up for daily, weekly or monthly email delivery of these reports under My Profile, Subscriptions, State Publications.