

SENATE BILL 466

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 9; Title 47, Chapter 18 and Chapter 1021 of the Public Acts of 2024, relative to civil actions.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-912(e)(1), is amended by deleting "including court costs and reasonable attorney fees" and substituting "including actual damages; nominal damages; punitive damages, if applicable pursuant to § 29-39-104; court costs; and reasonable attorney fees".

SECTION 2. Tennessee Code Annotated, Section 39-17-912(e), is amended by adding the following as a new subdivision:

(3) An action under this section may be certified as a class action pursuant to Rule 23 of the Tennessee Rules of Civil Procedure, if appropriate.

SECTION 3. Tennessee Code Annotated, Section 39-17-912, is amended by deleting subsection (h).

SECTION 4. Tennessee Code Annotated, Section 39-17-902, is amended by adding the following as a new subsection:

() In addition to any criminal penalties, a person or entity that violates subsection (a) may be found civilly liable to an injured party for nominal damages; actual damages; punitive damages, if applicable pursuant to § 29-39-104; court costs; and reasonable attorney fees as ordered by the court.

SECTION 5. Tennessee Code Annotated, Section 39-17-912(j), is amended by designating the existing language as subdivision (j)(1) and adding the following new subdivision (j)(2):

(2) The attorney general and reporter may issue guidance to assist commercial entities in complying with this part.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.