

Amendment No. 1 to HB2439

**Marsh
Signature of Sponsor**

AMEND Senate Bill No. 2556

House Bill No. 2439*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-16-301(a), is amended by adding the following as a new subdivision:

(5) Pretends to have a disability-related need for an assistance animal in order to obtain an exception to a landlord's policy that prohibits pets or establishes limits on the types of pets that tenants may possess on residential rental property. As used in this subdivision (a)(5), "assistance animal" means an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one (1) or more identified symptoms or effects of a person's disability.

SECTION 2. Tennessee Code Annotated, Section 66-7-109, is amended by adding the following as a new subsection:

A provision in a rental agreement that authorizes a landlord to hold a tenant in breach of the rental agreement based on the tenant's conviction for a violation of § 39-16-301(a)(5) is not unconscionable and is fully enforceable.

SECTION 3. Tennessee Code Annotated, Section 66-28-204, is amended by adding the following new subsection:

A provision in a rental agreement that authorizes a landlord to hold a tenant in breach of the rental agreement based on the tenant's conviction for a violation of § 39-16-301(a)(5) is not unconscionable and is fully enforceable.

Business and Utilities Committee 1

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SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to any rental agreement entered into or renewed on or after that date.