



May 4, 2009

Dear ACLU-TN Legislative Alert Network:

Privacy, LGBT rights, religious freedom, reproductive freedom, voting rights and equal treatment under the law are at stake again this week at the Tennessee General Assembly. Please contact your legislators about the bills described below and let them know how you think they should vote. The easiest way to identify your legislators is to visit <http://www.capitol.tn.gov>, go to "Find My Legislator," put in your address and click "search." Once you identify your legislators, please check to see if they serve on any of the committees that are scheduled to hear these bills this week. If they do, please contact them immediately to let them know how you would like them to vote in the committee. If your legislators do not serve on the committees hearing the bills this week, you should contact them and explain how you want them to vote when the bills come to the Floor.

Many thanks for using your voice to protect our constitutional freedoms.

Warm regards,
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Access to Justice

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Exclusionary Rule Reform Act HB1700 (Watson)	States that any evidence that is obtained as a result of a search or seizure will not be excluded in a proceeding in a state court on the ground the search or seizure was in violation of the 4th amendment to the Constitution of the United States when the search or seizure was carried out in circumstances justifying an objectively reasonable belief that it was in conformity with the 4th Amendment. Companion bill is SB0518 (McNally).	House Criminal Practice & Procedure Subcommittee Wednesday, 05/06/09 at 12:00 pm – LP 31	OPPOSE

Free Speech

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Saggy Pants = Criminal SB1757 (Ford)	Makes wearing pants below the waistline a Class C misdemeanor criminal offense. This bill is a violation of freedom of	Senate Judiciary Committee Tuesday, 05/05/09 at	OPPOSE

O.) HB2099 (Towns)	expression and encourages racial profiling.	11:00 am – LP12 House Judiciary Committee Wednesday, 05/06/09 at 8:30 am – LP31	
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Immigrants' Rights

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Prohibition of Undocumented Students from State Universities HB0808 (Campfield)	Prohibits a student from being admitted to and enrolled in a public university in Tennessee unless the student establishes proof of U.S. citizenship or can prove s/he is lawfully in the U.S. Companion bill is SB1237 (Bunch). Talking points – click here .	House Higher Education Subcommittee Tuesday, 05/05/09 at 8:30 am – LP 29	OPPOSE
No public benefits for undocumented people HB0388 (Carr) HB2049 (Evans)	This bill requires state agencies to verify eligibility of people 18 years and older before providing public benefits using a federal database which is currently riddled with data errors. The bill will cost Tennessee hundreds of millions of dollars in losses of federal funds. Companion bills are SB0145 (Ketron) and SB0122 (Ketron).	House State Government Subcommittee Wednesday, 05/06/09 at 8:30 am – LP 29	OPPOSE
No birth certificates for children of undocumented mothers SB1241 (Bunch)	Prohibits registration of a birth certificate for a child of an illegal immigrant mother unless the father is a U.S. citizen and he provides a written agreement for financial support of the child until age 18. Companion bill is HB0817 (Campfield).	Senate General Welfare Committee Wednesday, 05/06/09 at 10:00 a.m. – LP12	OPPOSE

LGBT Rights

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Adding Gender Identity to Hate Crimes Law	This bill would add “gender identity or expression” to Tennessee’s hate crime sentencing enhancement law. The categories in the statute currently include race, religion, national origin, age, disability	House Judiciary Committee Wednesday, 05/06/09 at 8:30	SUPPORT

HB0335 (Richardson)	and sexual orientation. Eleven states and the District of Columbia include “gender identity and expression” in their sentencing enhancement law. It is time for Tennessee to join these states. Companion bill is SB253 (Marrero).	a.m. – LP31	
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Privacy

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Stop REAL ID in Tennessee SB1934 (Burchett) HB1426 (Nicely)	Prohibits the state from participating in the implementation of the REAL ID Act of 2005. Talking points-click here .	Senate Finance, Ways & Means Committee Wednesday, 05/06/09 at 8:00 a.m. – LP 12 House Public Safety Subcommittee Tuesday, 05/05/09 at 3:45 p.m. – LP 16	SUPPORT
Release of medical test results of child to parent HB1762 (Shipley) SB2089 (Beavers)	These bills violate the privacy rights of young people by requiring any licensed physician providing healthcare services to a minor child to provide the results of any medical test or procedure performed on the child to the child’s parent or legal guardian. The bills not only deter teens from getting health services they need, they also put the state at risk of losing \$6,500,000 in federal grant funds for non-compliance with Title X family planning regulations.	House Judiciary Committee Wednesday, 05/06/09 at 8:30 am – LP 31 Senate General Welfare Committee Wednesday, 05/06/09 at 10 am – LP12	OPPOSE

Religious Freedom

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Religious Freedom Restoration Act HB1598 (Lynn)	Prohibits the state from “substantially burdening” a person’s free exercise of religion without a compelling governmental interest. ACLU-TN believes SB1283/HB1598 is seriously flawed because it does not include language to prevent the law from being used to justify violations of civil rights.	House Civil Practice & Procedure Subcommittee Tuesday, 05/05/09 at 12:00 pm – LP 31	ONLY SUPPORT WITH AMENDMENT

SB1283 (Bunch)		Senate Judiciary Committee Tuesday, 05/05/09 at 11:00 am – LP 12	
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Reproductive Freedom

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Removing Right to Abortion SJR0127 (Black)	Opens door to amending the State Constitution to take away the privacy protection as it pertains to women seeking abortions. Were <u>Roe v. Wade</u> to be overturned, and our State Constitution to be amended, women in Tennessee would not be protected under the current state constitutional right to privacy that ensures a woman can obtain an abortion. The Senate passed SJR0127 24 to 8 on 3/23/09. Talking points-click here .	House Finance, Ways & Means Committee Tuesday, 05/05/09 at 1:30 pm – LP 16	OPPOSE
Strip Title X Funding from Planned Parenthood HB1756 (Hensley) SB0470 (Johnson, J.)	This bill would take away Title X federal funds from non-profit health care clinics in Tennessee, limiting access to quality family planning and other health care services for women and men in Tennessee. Talking points – click here .	House Public Health and Family Assistance Subcommittee Tuesday, 05/05/09 at 4:00 p.m. – LP 30 Senate General Welfare Committee Wednesday, 05/06/09 at 10:00 am – LP12	OPPOSE

Voting Rights

Bill	Bill Description	Will Be Heard	ACLU-TN Position
Financial Burden to Restore Voting	After completion of sentence, requires a person to have paid all restitution, fines and court costs before having the right to	House Judiciary Committee	OPPOSE

<p>Rights</p> <p>HB0969 (McCord)</p>	<p>vote restored. Companion bill is SB0440 (Overbey), which passed the Senate 30-1.</p> <p>Talking points-click here.</p>	<p>Wednesday, 05/06/09 at 8:30 a.m. – LP 31</p>	
<p>Delay of Tennessee Voter Confidence Act</p> <p>HB0614 (Todd)</p> <p>SB0872 (Ketrone)</p>	<p>These bills delete the deadline for implementation of the Tennessee Voter Confidence Act, jeopardizing access to federal funds for purchase of county voting systems that would have provided voter-verified paper ballots. It also delays mandatory hand count audits of paper ballots. These bills take away the voter security derived from paper ballots, recounts and audits.</p>	<p>House Finance Budget Subcommittee, Wednesday, 05/06/09 at 11 am – LP29</p> <p>Senate Finance Ways & Means Committee, Wednesday, 05/06/09 at 8 am – LP12</p>	<p>OPPOSE</p>