

SENATE BILL 2214

By Swann

AN ACT to amend Tennessee Code Annotated, Title 13,
Chapter 24, Part 1, relative to sober living homes.

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

SECTION 1. This act shall be known and may be cited as the "Stopping Addiction and Fostering Excellence (SAFE) Act."

SECTION 2. Tennessee Code Annotated, Section 13-24-102, is amended by deleting the section and substituting instead the following:

For the purposes of any zoning law in Tennessee, the classification "single family residence" includes any home in which six (6) or fewer unrelated persons with disabilities reside, and may include three (3) additional persons acting as support staff or guardians, who need not be related to each other or to any of the persons with disabilities residing in the home.

SECTION 3. Tennessee Code Annotated, Title 13, Chapter 24, Part 1, is amended by adding the following new section:

(a) As used in this section:

(1) "Municipality" means an incorporated city or town, or a county with a metropolitan form of government; and

(2) "Sober living home" means any home classified as a "single family residence" under § 13-24-102 that provides alcohol-free or drug-free housing, promotes independent living, life skill development, and reintegration, and provides structured activities that are directed primarily toward a group of unrelated individuals who are recovering from drug or alcohol addiction and who

are receiving outpatient healthcare services for substance abuse or addiction treatment while living in the home.

(b) A municipality may adopt an ordinance requiring each sober living home to:

(1) Provide notification to the municipality of:

(A) The name and address of the sober living home;

(B) The property owner's name, address, and telephone number;

and

(C) If the property is leased, a copy of the lease stating that the property may be used as a sober living home; and

(2) Establish and comply with an operational plan that facilitates the rehabilitation process, including supervision of residents and discharge planning, and that addresses maintenance of the real property and noise abatement in compliance with local ordinances.

(c) An ordinance adopted under this section must comply with the Fair Housing Act, 42 U.S.C. § 3601 et seq., and the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.