



Summary of Legislation Enacted During Special Session

SB 6001 / HB 6004, “The Education Freedom Act of 2025”

Establishes the Education Freedom Scholarship Program, which provides state-funded scholarships for eligible students to attend private schools. Key provisions include:

- Eligible students are Tennessee residents that are lawfully present in the U.S. and entitled to attend public school but not enrolled in homeschooling or church-related schools.
- Beginning 2025-2026: Provides for up to 20,000 scholarships awarded. Reserves 10,000 of these scholarships for students with annual household incomes below \$176,000.
- The amount of each scholarship awarded is \$7,075.
- 2026-2027 and beyond: Scholarship numbers may increase by an additional 5,000, provided the number of applicants exceeds 75% of the number of available scholarships.
- Students already in the program receive priority for renewal.
- Scholarship amount equals the base public-school funding per student and may be used to pay costs of:
 - Tuition, fees, textbooks, and uniforms.
 - Tutoring, transportation, and technology.
 - Summer/afterschool programs and educational therapies.
- Private schools must meet state approval requirements to participate.
- Scholarship students in grades 3-11 must take a nationally standardized test or the state assessment.
- Private schools must report test results to the state comptroller for analysis.
- Participating private schools maintain independence in admission policies, curriculum, and operations.
- Public School Funding Adjustment: To offset losses in enrollment, public school districts (LEAs) experiencing a year-over-year reduction in enrollment will receive additional funds to maintain prior-year funding levels. The reduction in enrollment does not have to occur because of or be tied to former students’ participation in scholarship program.

SB6002 / HB6001 – Centralized Immigration Office and Incentive Program

Establishes the Centralized Immigration Enforcement Division within the Department of Safety.

- Led by a Chief Immigration Enforcement Officer (CIEO), appointed by the governor.
- Responsibilities of the CIEO include:
 1. Overseeing collaboration between state, local, and federal immigration agencies.
 2. Facilitating communication regarding immigration policy and enforcement.
 3. Managing the Immigration Enforcement Grant Fund.
 4. Developing strategic immigration enforcement plans.
 5. Coordinating state participation in federal immigration programs like the 287(g) program.
 6. Ensuring compliance with immigration laws.



7. Submitting annual reports to the governor and General Assembly.
 8. Allocating state funding to aid immigration enforcement efforts.
- Authorizes the Department of Safety to hire staff for the division.
 - Directs the Commissioner of Safety, in consultation with the CIEO, to negotiate agreements with the U.S. Attorney General for enforcing federal immigration laws under the 287(g) program.

Immigration Enforcement Grant Program

- Establishes a \$5 million grant program to incentivize local governments to collaborate with federal authorities under the 287(g) program, subject to future appropriations.
- Funds are managed by the CIEO and distributed based on:
 - Local governments' demonstrated commitment to enforcing immigration laws.
 - Submission of applications and compliance with grant conditions.
- Grants can be used for training, equipment purchases, operational expenses, and other immigration enforcement activities.
- Local governments receiving grants must submit quarterly reports detailing the use and impact of the funds.
- Misuse of funds or failure to comply with grant conditions may result in clawback of funds.
- Under the bill, local participation in the federal 287(g) program remains voluntary, thus the need for the grant incentives program.

Background

Today, the federal government has exclusive authority to enact law and policies and to promulgate rules pertaining to immigration. Additionally, the enforcement of such laws, policies and rules are the exclusive domain of the federal government. However, the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 created a voluntary enforcement program commonly known as the 287(g) program. Under the 287(g) program, the U.S. Immigration and Customs Enforcement (ICE) is authorized to delegate to state and local law enforcement officers the authority to perform specified immigration officer functions under the agency's direction and oversight. It should be emphasized that local participation is not compulsory and that ICE may only delegate authority to law enforcement officer employed by willing state and local governments. The goal of 287(g) is to enhance public safety by identifying aliens, lodging immigration detainees, and initiating removal proceedings by issuing charging documents on criminal and removable aliens booked into the jail facility.

Willing state and local law enforcement agencies must request to participate in the 287(g) program and enter into a memorandum of agreement with ICE that defines the scope, duration and limitations of the delegation of authority. It also sets forth the training requirements, the terms of ICE supervision, and requires the partnering law enforcement agency to follow U.S. Department of Homeland Security (DHS) and ICE policies when its designated immigration officers perform delegated immigration enforcement functions



ICE Enforcement and Removal Operations (ERO) partners with 287(g) Program participants to enhance collaboration and to delegate specified immigration officer duties for the purposes of identifying and removing incarcerated criminal aliens who are amenable to removal from the U.S. before they are released into the community. State and local agencies partner with ICE under one of two models.

The first model, the Jail Enforcement Model, is designed to identify and retain aliens with criminal or pending criminal charges who are arrested by state or local law enforcement agencies for removal. Deputized officers may interrogate suspected noncitizens who have been arrested on state or local charges to determine their immigration status. Deputized officers may issue immigration detainers, which are administrative requests from ICE to law enforcement agencies to hold a non-citizen for up to 48 hours after they would otherwise be released. Generally, deputized officers are authorized to: Interview individuals to ascertain their immigration status; Check DHS databases for information on individuals; Issue immigration detainers to hold individuals until ICE takes custody; Enter data into ICE's database and case management system; Issue a Notice to Appear (NTA), which is the official charging document that begins the removal process; Make recommendations for voluntary departure in place of formal removal proceedings; Make recommendations for detention and immigration bond; and Transfer noncitizens into ICE custody. Under the Jail Enforcement Model, deputized officers must be U.S. citizens and pass a background check conducted by ICE. In addition, deputized officers must complete a four-week Immigration Authority Delegation Program at the Federal Law Enforcement Training Center (FLETC) ICE Academy (ICEA) in Charleston, South Carolina. At the end of the training program, officers must pass examinations with a minimum score of 70 percent in order to become deputized.

The second model, the Warrant Service Officer program is more limited of the two models. ICE trains, certifies and authorizes state and local law enforcement officers to serve and execute administrative warrants on aliens in their agency's jail. These officers are permitted to perform the arrest functions of an immigration officer within the law enforcement agency's jails and/or correctional facilities. The WSO model differs from the jail enforcement model in that ICE does not authorize the local law enforcement officer to interrogate alleged noncitizens about their immigration status. Training requirements for deputized officers in the are further reduced for officers who participate in the WSO Model, which requires only an eight-hour training on legal authorities and enforcement protocols facilitated by an ICE Field Office. A 2021 report from the Government Accountability Office (GAO) found that ICE had failed to establish performance goals for the program, including how to effectively measure its oversight of law enforcement agency partners.

Officers deputized under either model can complete refresher training "as needed" with no mandatory minimum requirement and a maximum frequency of once every two years.

ICE covers the cost of training deputized officers in the 287(g) program, including travel and expenses. In addition, ICE is responsible for the installation and maintenance of the Information Technology (IT) infrastructure at partner law enforcement agency sites. State and local governments are responsible for all personnel costs, including salaries, benefits, and overtime, as well as all administrative supplies. Some of the costs of detention may be



reimbursed by the federal government through the State Criminal Alien Assistance Program (SCAAP). However, the federal government has never fully funded SCAAP, and reimbursements only cover a fraction of the costs incurred by states and localities.

As of December 2024, ICE has 287(g) Jail Enforcement Model agreements with 60 law enforcement agencies in 16 states. ICE also has 287(g) Warrant Service Officer agreements with 75 law enforcement agencies in 11 states. Currently, only two local jurisdictions in Tennessee have 287(g) agreements with ICE – Greene County and Knox County. Each is operating under a Jail Enforcement Model agreement.

Sanctuary Policies

- Expands current penalties for officials adopting sanctuary policies or otherwise interfering with enforcement of federal or state law, originally enacted in 2018, making such actions a Class E felony.
- Requires the Attorney General to initiate removal proceedings against officials convicted of violating immigration compliance laws.
- Lack of participation in the federal 287(g) program does not constitute a violation of law prohibiting sanctuary policies and, as such, does not subject officials to a Class E felony.

Background

In 2018, a new law (T.C.A. 4-42-103) was enacted providing that no state governmental entity or official shall adopt or enact a sanctuary policy. It further provides that a state governmental entity that adopts or enacts a sanctuary policy is ineligible to enter any grant contract with the Tennessee Department of Economic and Community Development until the sanctuary policy is repealed, rescinded, or otherwise no longer in effect. Under the law, a “sanctuary policy” is defined as any directive, order, ordinance, resolution, practice, or policy, whether formally enacted, informally adopted, or otherwise effectuated, that:

- Limits or prohibits any state governmental entity or official from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien;
- Grants to aliens unlawfully present in the United States the right to lawful presence within the boundaries of this state in violation of federal law;
- Violates 8 U.S.C. § 1373, which is the prohibition contained in federal law against any government entity or official from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:
 - Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.
 - Maintaining such information.
 - Exchanging such information with any other Federal, State, or local government entity.
- Restricts in any way, or imposes any conditions on, a state or local governmental entity's cooperation or compliance with detainers from the United States Department



of Homeland Security, or other successor agency, to maintain custody of any alien or to transfer any alien to the custody of the United States department of homeland security, or other successor agency.

- Requires the United States Department of Homeland Security, or other successor agency, to obtain a warrant or demonstrate probable cause before complying with detainers from the department to maintain custody of any alien or to transfer any alien to its custody; or
- Prevents law enforcement agencies from inquiring as to the citizenship or immigration status of any person

Restriction on Driver Licenses for Non-Citizens

- Prohibits issuance of driver licenses to individuals who are not U.S. citizens.
- Requires proof of U.S. citizenship for obtaining or reinstating a driver license or photo ID.
- Establishes additional requirements for applicants presenting driver licenses from states that issue licenses to undocumented immigrants, requiring proof of U.S. citizenship or authorized stay.
- Clarifies that only permanent driver licenses, not temporary licenses, are acceptable for voting purposes.
- Specifies that temporary driver licenses are only available to lawful permanent residents or individuals with a specific authorized stay in the U.S.
- Temporary licenses must:
 - Have visually distinctive markers.
 - Not exceed the validity of the individual's authorized stay or eight years.
 - Be restricted from being used for rights exclusive to U.S. citizens, such as voting.
- Lawful permanent residents must provide proof of U.S. citizenship upon renewal starting January 1, 2026.

SB6003 / HB6003 – Creating Disaster Funds

- Establishes two new disaster relief funds within the state treasury:
- Hurricane Helene Interest Payment Fund
 - Created to assist local governments with interest payments on loans taken for disaster recovery following Hurricane Helene.
 - Covers up to three years of interest, capped at 5% or the prime interest rate (whichever is lower).
 - Funded through grants, state appropriations, and federal funds.
 - Managed by the Tennessee Emergency Management Agency (TEMA), with funds remaining available for their designated purpose.
- Governor's Response and Recovery Fund
 - Designed to provide financial support for emergency response and recovery efforts, including agricultural recovery, unemployment assistance, and business recovery for current and future disasters.
 - Funds can only be used for disasters where the governor has declared a state of emergency.



- Can be distributed as grants or loans, with loan repayments reinvested into the fund.

SB6004 / HB6004 – Considerations During Disaster

Amends Tennessee law to enhance the state's emergency response capabilities by:

- **Modifying Unemployment Reporting Requirements During Emergencies**
 - Grants the Commissioner of Labor discretion to amend unemployment insurance reporting requirements when a state of emergency is declared.
 - Applies only to eligible claimants in counties for which Tennessee has requested a federal disaster declaration.
 - Allows chief executive officer of local government or chief executive officer of local government utility
- **Expanding Emergency Management Authority**
 - Authorizes state agencies to assist local governments and emergency management agencies with disaster recovery efforts on public property upon request.

SB6005 / HB6005— Additional Appropriations for Fiscal Year 2024-2025

Appropriates funds in the current fiscal year for legislation considered in the Special Session, including:

- **Education Freedom Scholarships:** \$225.8 million recurring and \$198.4 million nonrecurring, including:
 - Includes \$145.9 million for Education Freedom Scholarships, which is in addition to the \$144.2 million previously appropriated.
 - \$198.4 million for teacher bonuses (\$2,000 per teacher).
 - \$77.2 million for K-12 infrastructure directed from existing sports wagering revenue.
 - \$2.7 million for administrative costs.]
- **Disaster Response and Recovery:** \$210 million in non-recurring funds for the Hurricane Helene Interest Payment Fund (\$110 million) and the Governor's Response and Recovery Fund (\$100 million).
- **TEMA Disaster Relief Grants:** \$240 million for non-federal portion of disaster cost-sharing.
- **Hampton High School Reconstruction:** \$20 million grant to Carter County to replace high school.
- **Education Incentives:** \$6.2 million recurring for local education agencies in active tourism development zones and \$17 million recurring for high-performing school districts.
- **General Assembly Expenses:** Additional funding for legislative costs, including the cost of the Special Session.



SB6006 / HB6006 – Creates Tennessee Transportation Financing Authority

- Establishes Authority as public conduit issuer to implement portions of the Tennessee Transportation Modernization Act.
- Details the financing, issuance and management of bonds by the Tennessee Transportation Financing Authority.
 - Bonds issued under this chapter are deemed valid and are not affected by transportation project proceedings.
 - The authority's expenses are paid solely from revenues, and bonds are not general obligations of the state or municipalities.
 - Pledges made by the authority are binding, and bonds can be secured by revenues, trust indentures, and other financial instruments.
 - The state ensures that bondholder agreements will not be altered while bonds remain unpaid.
 - All revenues received by the authority are considered trust funds and must be used strictly as designated.
 - The authority must maintain financial records and report debt obligations to the state funding board.
 - Requires public hearings when bonds seek federal tax-exempt status, with the governor serving as the approving representative.
 - Bonds and related interest are exempt from state and local taxes, except for inheritance and estate taxes.
 - Protects proprietary records related to transportation projects are protected from public disclosure.
 - Upon fulfilling all bond obligations, the remaining assets will benefit the state.
 - The law is intended to be interpreted broadly to facilitate transportation financing.
 - The act does not waive Tennessee's immunity from lawsuits.
 - Requires user fee revenues from toll roads or other facilities must be allocated per agreement terms, rather than being deposited into the state user fee fund.

SB6007 / HB6007 –Relief Payments in Disaster for Property Owners and Mutual Aid

- Disaster Relief Payments for Property Owners
 - Establishes financial relief for property owners whose real or personal property (excluding intangible assets and public utility property) was damaged or destroyed in a FEMA-certified disaster occurring between September 26-30, 2024.
 - Payments will be equal to the total 2024 property tax amount plus 30%, subject to appropriation by the General Assembly.
 - Property owners must submit required documentation by June 30, 2025, to receive funds.
 - The provision expires on December 31, 2025.
- Mutual Aid and Emergency Response
 - Updates Tennessee's mutual aid law to allow government entities to send personnel and equipment outside their jurisdiction in response to municipal, state,



or federal emergency requests, subject to approval by their chief executive officer of the local government or, in the case of utility workers and equipment, the chief executive officer of a municipal utility.