

HOUSE BILL 229

By Vaughan

AN ACT to amend Tennessee Code Annotated, Title 13
and Title 65, Chapter 31, relative to natural gas.

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

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

(a) For a new residential or nonresidential development that is located in whole or in part within one thousand feet (1,000') of the center point of a natural gas transmission pipeline that was constructed or operated prior to the development, the regional planning commission must notify the operator of the natural gas transmission pipeline of the planned development no later than the time of application for approval of the development, or one hundred eighty (180) days prior to commencement of construction, whichever is earlier.

(b) The developer of the development shall provide on a plat filed with the regional planning commission the following notice:

All reasonable means were used to obtain information about natural gas transmission pipeline facilities in the area of the proposed development and pipeline operator(s) were contacted to verify the location of the pipeline and the pipeline easement. The developer has reviewed, or attempted to review, preliminary information about the proposed development with the pipeline operator.

(c) Within sixty (60) days of the effective date of this act, regional planning commissions shall gather raw National Pipeline Mapping System (NPMS) geospatial data about the locations of pipelines from the Pipeline and Hazardous Materials Safety

Administration within the United States Department of Transportation and make this data available to developers.

(d) Upon receiving notice of a planned development in accordance with this section, a pipeline operator shall locate and mark the natural gas pipeline facilities and provide pipeline facility information to the developer by other means such as marking up design drawings and providing maps.

(e) A building permit shall not be issued, and a building shall not be erected on a lot within the jurisdiction of a regional planning commission unless one (1) of the following three (3) criteria is met:

(1) The developer has received written consent from the natural gas pipeline operator and has filed this consent with such regional planning commission;

(2) The developer has not received written consent from the natural gas pipeline operator, but has filed with such regional planning commission written correspondence from the pipeline operator demonstrating that discussions and outreach have occurred; or

(3) The developer has filed dated and written correspondence with such regional planning commission that demonstrates attempts to contact the natural gas pipeline operator and that no response has been received within one hundred eighty (180) days of the filing.

(f) This section does not exempt developers or natural gas pipeline operators from the requirements of the Underground Utility Damage Protection Act, compiled in title 65, chapter 31.

(g) This section applies only to counties and municipalities that are governed by a regional planning commission for purposes of approving residential and nonresidential developments.

(h) As used in this section:

(1) "Natural gas transmission pipeline" means an interstate pipeline, as that term is defined in 15 U.S.C. § 3301(15); and

(2) "Regional planning commission" means a county, municipal, or multijurisdictional planning commission created pursuant to this title.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.