

HOUSE BILL 438

By Byrd

AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 5, Part 8, relative to reimbursement for relocation of utility lines.

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

SECTION 1. Tennessee Code Annotated, Section 54-5-804(d), is amended by deleting the language "The department shall" and substituting instead the language "Except as provided in subsection (f), the department shall".

SECTION 2. Tennessee Code Annotated, Section 54-5-804, is amended by adding the following as a new subsection:

(f) A utility with a project ineligible for reimbursement prior to passage of Chapter 86 of the Public Acts of 2003, shall be eligible for reimbursement of the actual utility relocation costs upon review and approval of the commissioner if the utility:

(1) Is located in any municipality having a population of not less than six thousand nine hundred eighty (6,980) nor more than six thousand nine hundred eighty-nine (6,989) according to the 2010 federal census or any subsequent federal census;

(2) Is located in any county having a population of not less than twenty-six thousand (26,000) nor more than twenty-six thousand fifty (26,050) according to the 2010 federal census or any subsequent federal census;

(3) Has had relocation plans accepted by the department for more than three (3) years before the construction of the project; and

(4) Has had the project delayed more than three (3) years since September 1, 2003.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring
it.