

HOUSE BILL 2067

By Brooks H

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6; Title 7 and Title 65, relative to utilities.

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

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 82, Part 2, is amended by adding the following language as a new section:

(a) Notwithstanding any law to the contrary and except as provided in subsection (d), a county mayor, after receiving approval by a resolution as described in subsection (b) from the county legislative body, may order to contract the territory of a utility district providing electric service in the county as long as at least fifty percent (50%) of the utility district's electric service customers are located in the county but outside of the jurisdiction of any municipality operating the utility district.

(b) In order for the county mayor to exercise the authority granted in subsection (a) to contract the territory of a utility district, the county legislative body must first pass a resolution that:

(1) Contains a statement that the basis of the resolution is a concern by the county legislative body regarding the district's management, financial operation, quality of service to the county's customers, and any other concerns of the county legislative body; and

(2) Is approved by a two-thirds (2/3) vote of the county legislative body.

(c) Prior to voting on the resolution as described in subsection (b), the county legislative body must provide persons who reside in the territory of the utility district that is proposed to be contracted:

(1) An opportunity to testify in at least one (1) public hearing prior to scheduling a meeting in which a vote may be taken on the resolution; and

(2) Notice by mail of the date and time of the public hearing described in subdivision (c)(1) and any meeting in which a vote may be taken on the resolution.

(d) A county mayor shall not exercise the authority granted in subsection (a) to contract territory of a utility district that would result in the persons residing in the affected territory not having access to electric service from any other utility district at the time of contraction.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.