

HOUSE BILL 2299

By Howell

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 68, Chapter 211; Title 68, Chapter 221 and
Title 69, relative to solid waste.

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

SECTION 1. Tennessee Code Annotated, Section 5-1-118(b), is amended by deleting the subsection and substituting:

(b)

(1) This part does not grant counties the authority to prohibit or regulate normal agricultural activities.

(2) Subdivision (b)(1) does not apply in any county having a population of not less than seventeen thousand five hundred (17,500) nor more than seventeen thousand six hundred (17,600), according to the 2020 federal census or any subsequent federal census as it pertains to the prohibition or regulation of the land application of biosolids, which is regulated by such county's legislative body.

SECTION 2. Tennessee Code Annotated, Section 5-1-118(c)(2), is amended by deleting the subdivision and substituting:

(2)

(A) The powers granted by § 6-2-201(22) and (23) do not apply to those activities, businesses, or uses of property and business occupations and practices that are subject to regulation pursuant to title 57, chapters 5 and 6; title 59, chapter 8; title 60, chapter 1; title 68, chapters 201-221; or title 69, chapters 3, 7, 10, and 11.

(B) Notwithstanding subdivision (c)(2)(A), activities, businesses, or uses of property and business occupations and practices are not subject to regulation pursuant to title 69, chapter 3, in any county having a population of not less than seventeen thousand five hundred (17,500) nor more than seventeen thousand six hundred (17,600), according to the 2020 federal census or any subsequent federal census as it pertains to the prohibition or regulation of the land application of biosolids, which is regulated by such county's legislative body.

SECTION 3. Tennessee Code Annotated, Section 69-3-108(g), is amended by adding the following as a new subdivision:

(6) The permitting authority granted under this subsection (g) does not apply to the prohibition or regulation of the land application of biosolids in any county having a population of not less than seventeen thousand five hundred (17,500) nor more than seventeen thousand six hundred (17,600), according to the 2020 federal census or any subsequent federal census. The county legislative body of the county described in this subdivision (g)(6) is granted such permitting authority.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.