

SENATE BILL 375

By Campbell

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Title 11, Chapter 3 and Title 68, relative to outdoor recreation.

WHEREAS, the outdoor recreation industry does more than bring joy to millions of Americans: it helps drive Tennessee's economy; and

WHEREAS, in 2022, the Bureau of Economic Analysis (BEA) released national statistics that valued the economic output of outdoor recreation to be eight hundred sixty-two billion dollars. Outdoor recreation's economic output surpasses industries such as mining, utilities, farming and ranching, and chemical products manufacturing; and

WHEREAS, outdoor recreation generates millions of high-quality and high-paying jobs from coast to coast and across a wide variety of industries, ranging from manufacturing to retail to tourism. These jobs play a critical role in the economic health of state and local economies; and

WHEREAS, the BEA's state-level data shows that outdoor recreation in Tennessee contributes over nine billion dollars to the State's economy and directly supports over ninety-three thousand two hundred thirty-three jobs; and

WHEREAS, Tennessee's public spaces for outdoor recreation are drivers of tourism for the State; and

WHEREAS, increased access to the outdoors and participation in outdoor recreation programs and services are critical to improving the health and wellness of all residents, maintaining their quality of life, and developing future environmental stewards and conservationists to build on our public lands heritage; and

WHEREAS, promoting and enhancing this State's outdoor recreation economy will benefit all residents and can particularly support rural communities that are gateways to outdoor recreation, locations, and opportunities; and

WHEREAS, at least eighteen states have created offices and positions dedicated to outdoor recreation to increase investment in and support their booming outdoor recreation economies; and

WHEREAS, in its December 2022 report entitled "Managing Tennessee's Public Waterways for Recreation: Balancing Access, Safety, and Protection of Natural Resources," the Tennessee Advisory Committee on Intergovernmental Relations (TACIR) found that many stakeholders in Tennessee prefer the creation of an office of outdoor recreation over a regulatory entity; and

WHEREAS, such stakeholders believe a non-regulatory entity that more broadly supports and promotes outdoor recreation would better facilitate economic development and coordinate the various agencies with regulatory authority; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 3, Part 1, is amended by adding the following as a new section:

(a) As used in this section, unless the context otherwise requires:

(1) "Director" means the director of the office of outdoor recreation;

(2) "Office" means the office of outdoor recreation within the tourism division of the department of tourist development;

(3) "Outdoor recreation" means a pursuit that occurs in a natural environment or physical landscape involving a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element, and includes

outdoor settings such as a park or open space, playing field, botanical garden, arboretum, and outdoor exhibits, excluding golf courses;

(4) "Political subdivision" means any city, town, municipality, county, including any county having a metropolitan form of government, or other legally authorized local governmental entity with jurisdictional boundaries;

(5) "State agency" means a department, agency, commission, or other institution of the executive branch of government in this state; and

(6) "Wildlife resources agency" means the Tennessee wildlife resources agency.

(b) There is created the office of outdoor recreation within the department of tourist development, the purpose of which is to:

(1) Augment services provided by the wildlife resources agency and the department of environment and conservation to leverage tourism and economic development opportunities as part of the continued development of this state's outdoor economy;

(2) Assist businesses and citizens of this state in navigating state environmental regulations; and

(3) Promote a solution-oriented focus on emerging issues.

(c) The office shall employ a director, who serves at the direction of the commissioner of tourist development.

(d) The director has the power and duty to:

(1) Increase outdoor recreation-based economic development, education, tourism, and ecotourism by attracting outdoor recreation industries to this state;

(2) Attract new businesses to this state by marketing, advertising, and securing media opportunities that reflect the opportunities for outdoor recreation in this state;

(3) Promote the growth of the outdoor recreation economy in this state by increasing and promoting access to the outdoors, particularly in underrepresented urban and rural communities, and providing opportunities for the stewardship and conservation of natural resources;

(4) Coordinate with federal or state agencies and authorities, counties, municipalities, schools, and private entities to achieve the purposes of this section;

(5)

(A) Recommend policies and initiatives to the governor to enhance outdoor recreational amenities, learning programs, and experiences in this state;

(B) Assist in the implementation of the policies and initiatives; and

(C) Report on the impacts of the policies and initiatives;

(6) Advise the governor on matters related to the outdoor recreation industry that affect interagency relations and activities that may involve both the wildlife resources agency and the department of environment and conservation;

(7) Develop and support the development of data regarding the impacts of outdoor recreation in this state while ensuring national data are utilized as a benchmark factor in agency decision-making;

(8) Promote the health, educational, and social benefits of outdoor recreation;

(9) Advocate on behalf of this state for federal funding and participation in federal programs, including applying for government and private grants to be used carrying out this section;

(10) Support the development of outdoor-based education programs and curricula related to conservation and safety;

(11) Create and maintain a statewide document of asset mapping of outdoor businesses, major recreation destinations, and industry stakeholders and partners;

(12) Market materials for outdoor business development and the recruitment and retention of staff;

(13) Disseminate economic impact statistics on outdoor recreation for this state;

(14) Aggregate existing resources for state and local partners with best practices on outdoor recreation economic development and data on participants;

(15) Build partnerships with small businesses and nonprofit organizations operating in the outdoor recreation space to give them a voice in the way state government operates in this sector; and

(16) Authorize funds from the general fund to be used to:

(A) Establish and maintain the office; and

(B) Adequately fund training and safety programs, and emergency and rescue services on this state's waterways by local governmental entities and non-governmental organizations.

(e)

(1) There is created a Tennessee outdoor recreation advisory board, referred to in this section as the "board," which shall:

(A) Advise and assist the director and the commissioner of tourist development in identifying outdoor recreation opportunities;

(B) Work to expand and align the outdoor recreation workforce with future economic opportunities; and

(C) Work to conserve the natural landscapes that support outdoor recreation in this state.

(2) The advisory board consists of:

(A) Nine (9) voting members appointed by the governor as follows:

(i) One (1) representative of an outdoor industry manufacturer located in this state;

(ii) One (1) representative of an outdoor recreation tourist destination located in this state;

(iii) Three (3) representatives of non-consumptive outdoor recreation user groups in this state;

(iv) One (1) academician knowledgeable in environmental management;

(v) One (1) person experienced in outdoor safety and rescue operations;

(vi) Two (2) representatives of non-governmental organizations in this state; and

(B) The following three (3) ex officio non-voting members:

(i) The chair of the Tennessee fish and wildlife commission or the chair's designee;

(ii) The commissioner of environment and conservation or the commissioner's designee, to represent the interests of the division of parks and recreation; and

(iii) The commissioner of economic and community development or the commissioner's designee.

(3)

(A) Each advisory board member is selected by and serves at the pleasure of the governor.

(B) A vacancy on the advisory board must be filled in the same manner as the original appointment.

(4) A person shall not serve simultaneously as a member of the advisory board and the Tennessee outdoor recreation task force.

(5) Political subdivisions of this state, state agencies, regional commissions, and other public agencies or public authorities may provide support, assistance, or cooperation to the office in the performance of its duties and powers under this section upon request of the office.

(f)

(1) There is created a Tennessee outdoor recreation task force, referred to in this section as the "task force," to assist in:

(A) Resolving conflicts between trail and water resource users;

and

(B) Enhancing the experience of outdoor recreationists in this state generally.

(2) The task force consists of nine (9) voting members appointed by the governor as follows:

(A) Three (3) representatives of outdoor recreation user groups, including climbers, paddlers, boaters, fishers, hikers, cyclists, and other outdoor recreation user groups;

(B) Two (2) representatives of non-governmental organizations;

(C) Two (2) commercial operators of outdoor recreation businesses;

(D) One (1) law enforcement officer with the department of environment and conservation; and

(E) One (1) law enforcement officer with the wildlife resources agency.

(3)

(A) Each task force member is selected by and serves at the pleasure of the governor.

(B) A vacancy on the task force must be filled in the same manner as the original appointment.

(4) A person shall not serve simultaneously as a member of the task force and the Tennessee outdoor recreation advisory board.

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