



State of Tennessee

PUBLIC CHAPTER NO. 570

SENATE BILL NO. 1646

By Yager, Bell

Substituted for: House Bill No. 1591

By McCormick, Carter, Howell, Byrd, Hazlewood, Gant, Kevin Brooks

AN ACT to amend Tennessee Code Annotated, Title 65, relative to powers of a cooperative.

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

SECTION 1. Tennessee Code Annotated, Section 65-25-105(a)(11), is amended by deleting the subdivision and substituting instead:

(11) With respect to a primary purpose and the secondary purpose of supplying telecommunications and broadband internet access and related services, but without limiting the generality or particularity of subdivisions (a)(1)-(10), construct, maintain, and operate, and allow others, so long as such others are permitted by law to operate such systems within the cooperative's service area, to operate, electric, or other telecommunications or broadband internet access and related services transmission and distribution lines or other conducting or communications facilities along, upon, under, and across all of the following:


(A) Real property, personal property, rights of way and easements owned, held, or otherwise used by the cooperative. Any easement owned, held, or otherwise used by the cooperative in pursuit of a primary purpose may be used for any secondary purpose; and

(B) Public thoroughfares, including, but not limited to, all roads, highways, streets, alleys, bridges, and causeways and publicly owned lands if the applicable authorities having jurisdiction over the public thoroughfares and lands consent, but consent shall not be unreasonably withheld or conditioned for the purpose of enabling the authority to gain competitive advantage with respect to the rendition by the authority or any other entity of a service that the cooperative also has a right to render; and

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

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PASSED: March 5, 2018



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 16th day of March 2018



BILL HASLAM, GOVERNOR