

SENATE BILL 2704

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 13; Title 64; Title 65;
Title 67 and Title 68, relative to energy.

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

SECTION 1. Tennessee Code Annotated, Section 7-51-2403, is amended by deleting the section and substituting:

7-51-2403.

(a) A political subdivision that through ordinance, resolution, or other regulation imposes requirements or expectations related to the source of clean energy or renewable energy used by a public utility shall include the following as permissible sources:

- (1) Solar energy;
- (2) Photovoltaic cells and panels;
- (3) Hydropower;
- (4) Wind power;
- (5) Hydrogen fuel;
- (6) Nuclear power;
- (7) Natural gas;
- (8) Fuel cells;
- (9) Energy from waste-to-energy facilities;
- (10) Energy storage systems or technologies;
- (11) Geothermal energy;
- (12) Dedicated crops grown for energy production;

(13) Industrial byproduct technologies that use fuel or energy that is a byproduct of an industrial process;

(14) Waste heat recovery from capturing and reusing the waste heat in an industrial process for heating or generating mechanical or electric work;

(15) Combined heat and power systems;

(16) Pumped storage hydropower;

(17) Compressed air energy storage;

(18) Biomass, including agricultural crops, wastes, or residues, wood or wood waste, animal waste or other animal byproducts, algae, or solid waste; and

(19) Renewable natural gas, as defined in § 65-5-114.

(b) A public utility required by a political subdivision to implement or comply with requirements or expectations related to the source of clean energy or renewable energy used by the public utility meets the requirement if the public utility uses one (1) or more of the sources listed in subdivisions (a)(1)-(19), regardless of whether the political subdivision classifies the requirements or expectations as relating solely to clean energy or solely to renewable energy.

(c) An ordinance, resolution, or other regulation in violation of this section is against public policy and void.

SECTION 2. Tennessee Code Annotated, Section 7-51-2404, is amended by deleting the section.

SECTION 3. Tennessee Code Annotated, Section 7-51-2405, is amended by deleting the section.

SECTION 4. This act takes effect July 1, 2024, the public welfare requiring it.