

SENATE BILL 6003

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 9,
Chapter 4, Part 2, relative to disaster relief funds.

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

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 4, Part 2, is amended by adding the following new sections:

9-4-215. Hurricane Helene interest payment fund.

(a) There is created a fund within the state treasury to be known as the Hurricane Helene interest payment fund. The fund consists of grants, appropriations by the general assembly, federal funds, to the extent permitted by federal law and regulation, and any other moneys made available to the Tennessee emergency management agency for the purposes of such fund from any other source or sources. Moneys deposited in the fund must be invested for the benefit of the fund pursuant to § 9-4-603. Moneys in the fund must not revert to the general fund, but must remain available to be used by the Tennessee emergency management agency exclusively for the purpose specified in subsection (b). The commissioner of finance and administration may promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, in order to ensure the funds are received and expended for the purposes consistent with subsection (b).

(b) The purpose of the Hurricane Helene interest payment fund is to pay local governments' interest costs for up to three (3) years on money borrowed to pay eligible disaster recovery costs related to Hurricane Helene; provided, that moneys from the fund must only pay interest costs up to five percent (5%) or the prime interest rate,

whichever is lower; and provided further, that the local government is located in a county that was included in the federal disaster declaration resulting from Hurricane Helene.

9-4-216. Governor's response and recovery fund.

(a) There is created a fund within the state treasury to be known as the governor's response and recovery fund. The fund consists of grants, appropriations by the general assembly, loan repayments, federal funds, to the extent permitted by federal law and regulation, and any other moneys made available to the Tennessee emergency management agency for the purposes of such fund from any other source or sources. Moneys deposited in the fund must be invested for the benefit of the fund pursuant to § 9-4-603; provided, however, that some or all interest earnings may be transferred to the Hurricane Helene interest payment fund created pursuant to § 9-4-215. Moneys in the governor's response and recovery fund must not revert to the general fund but must remain available to be used by the Tennessee emergency management agency exclusively for the purposes specified in subsection (b). The commissioner of finance and administration may promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, in order to ensure the funds are received and expended for the purposes consistent with subsection (b).

(b) The purpose of the governor's response and recovery fund is to respond to, or recover from, an emergency, as defined in § 58-2-101, including, but not limited to, the following:

- (1) Agricultural recovery efforts related to an emergency;
- (2) Unemployment assistance related to an emergency; and
- (3) Business recovery assistance related to an emergency.

(c) Moneys must only be expended in response to Hurricane Helene or another event for which the governor declares a state of emergency or disaster declaration pursuant to § 58-2-107(b)(1)(A).

(d) The Tennessee emergency management agency may expend moneys in the fund in the form of grants or loans to third parties. Loan repayments must become part of the fund and remain available for the purposes described in subsection (b).

(e) At least annually, the Tennessee emergency management agency shall submit to the chair of the finance, ways and means committee of the senate and the chair of the committee in the house of representatives having jurisdiction over matters related to public funds a report stating the amount expended from the fund in the past year, the purposes for which the money was expended, and the amount remaining in the fund.

SECTION 2. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.