



RYAN SWINDELL

GOVERNMENT RELATIONS

Clean Water Professionals of Kentucky & Tennessee

Calendar Report - Bills Scheduled for week of March 16, 2020

Mon 3/16/20 1:30pm - Senate Education Committee, Senate Hearing Rm I

HEADER: Final Calendar. The committee will convene again on Wednesday, March 18th to take up any remaining bills from this calendar. The committee will have a budget hearing by the TN Department of Education. SB2342, SB1580, SB2437, and SB1767 have been added to the calendar by suspension of the rules on the Senate Floor on 03/13/20. MEMBERS: CHAIR D. Gresham (R); VICE CHAIR B. Kelsey (R); 2ND VICE CHAIR R. Akbari (D); M. Bell (R); R. Crowe (R); S. Dickerson (R); F. Haile (R); J. Hensley (R); J. Lundberg (R)

107. SB2024 Akbari R. **EDUCATION: Lead contamination testing in schools.** Requires the department of education with assistance from the department of health, not local boards of education, to develop and implement a program to test water in public schools, public charter schools, and child care programs for lead contamination. Lowers the level of contamination required for removal of water source from 20 parts per billion to 15 parts per billion. If the results exceed 15 parts per billion then parents and guardians must be notified within 24 hours, rather than 5 days.
Fiscal Note: (Dated March 2, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 2, relative to water quality.
HB2017 - L. Lamar - 03/12/20 - Set for House Education K-12 Subcommittee 03/17/20.
117. SB2102 Massey B. **EDUCATION: Water bottle filling stations in schools.** Requires an LEA or the governing body of a public charter school that constructs or renovates a public school or public charter school building to install water bottle filling stations for students. Requires at least one station for every 75 students enrolled, one on each floor, one in the school food service area and one near gym, outdoor learning areas, athletic facilities and playgrounds. Prohibits schools from denying students' ability to bring clear water bottles on campus.
Amendment Summary: House Education K-12 Subcommittee amendment 1 (015631) deletes all language after the enacting clause so that the only substantive changes are 1) installed water bottle filling stations must be ADA compliant; 2) Defines "ADA compliant;" and 3) Removes the requirement that there be one bottle filling station for every 75 students enrolled in a school.
Fiscal Note: (Dated February 23, 2020) Increase State Expenditures \$63,000/FY20-21 \$64,800/FY21-22 \$66,500/FY22-23 \$68,300/FY23-24 \$70,000/FY24-25 \$71,800/FY25-26 \$73,500/FY26-27 Exceeds \$15,800/FY27-28 and Subsequent Years Increase Local Expenditures \$3,375,000/FY20-21* \$3,468,800/FY21-22* \$3,562,500/FY22-23* \$3,656,300/FY23-24* \$3,750,000/FY24-25* \$3,843,800/FY25-26* \$3,937,500/FY26-27* Exceeds \$831,300/FY27-28 and Subsequent Years*
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 13; Title 49, Chapter 2 and Title 49, Chapter 3, relative to access to water in public schools.
HB2169 - P. Hazlewood - 03/12/20 - Set for House Education Committee 03/18/20.

Tue 3/17/20 8:00am - House Agriculture & Natural Resources Committee, House Hearing Rm II

HEADER: Final Calendar. The committee will hear a presentation about 2020 Ag Day on the Hill. MEMBERS: CHAIR C. Halford (R); VICE CHAIR C. Todd (R); R. Grills (R); J. Holsclaw, Jr. (R); J. Shaw (D); S. Cepicky (R); M. Carter (R); M. Stewart (D); D. Moody (R); P. Marsh (R); K. Keisling (R); B. Hulsey (R); A. Holt (R); J. Chism (D)

4. HJR778
Sparks M. **UTILITIES: US Army Corps of Engineers to comply with TN law in regard to water projects.** Urges the US Army Corps of Engineers to comply with Tennessee law in its administration of water projects in the State of Tennessee.
Fiscal Note: (Dated February 11, 2020) NOT SIGNIFICANT
-- 03/12/20 - H: Set for House Agriculture & Natural Resources Committee 03/17/20.
9. HB1841
Marsh P. **LOCAL GOVERNMENT: Creation of new water or wastewater treatment authorities.** Imposes various changes to the process for any city, metropolitan government or county to create new water or wastewater treatment authorities. Requires any city, metropolitan government or county attempting to create new authorities to submit a petition to the water and wastewater financing board for review and approval before a public hearing is held. Establishes petition requirements and approval process.
Fiscal Note: (Dated January 27, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Section 7- 34-106; Section 7-35-432; Section 68-221-604; Title 68, Chapter 221, Part 10 and Section 68-221- 1304, relative to the water and wastewater financing board.
Comment: Comptroller's Office bill
SB1766 - J. Johnson - 03/02/20 - Senate passed.
11. HB325
Travis R. **ENVIRONMENT & NATURE: Registry of riparian lands maintained under The Tennessee Scenic Rivers Act.** Requires the department of environment and conservation to publish on its website the registry of riparian lands that it maintains under The Tennessee Scenic Rivers Act.
Amendment Summary: Senate amendment 1, House Agriculture & Natural Resources Subcommittee amendment 1 (014833) deletes and rewrites all language after the enacting clause. Adds three additional waterways to Class I Natural River Areas in statute.
Fiscal Note: (Dated February 5, 2019) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 11, Chapter 13, relative to scenic rivers.
SB1357 - K. Yager - 03/02/20 - Senate passed with amendment 1 (014833).
15. HB2206
Zachary J. **ENVIRONMENT & NATURE: Decreases time that board rulings are required to be published by the Tennessee board of energy and natural resources.** Decreases the amount of days the Tennessee board of energy and natural resources or an administrative judge is required to publish board rulings on contested cases and acceptance of judgments by consent from five business days to three business days. Broadly captioned.
Amendment Summary: Senate Energy, Agriculture & Natural Resources Committee amendment 1 (015852) deletes all language after the enacting clause. Prohibits the Board of Water Quality, Oil, and Gas (Board) from adopting in its rules, requirements for drip or spray fields that impose land set aside for excess capacity, emitter center specifications, elevation restrictions, or limitations on land use where effluent is disinfected prior to application. Establishes that no permit under the Water Quality Control Act of 1977 will impose as a permit condition any requirement for drip or spray fields that impose land set aside for excess capacity, emitter center specifications, elevation restrictions, or limitations on land use where effluent is disinfected prior to application. House Agriculture & Natural Resources Subcommittee amendment 1 (016308) deletes and replaces all language after the enacting clause. States that a permit is not required for the construction, installation, or modification of an authorized land application.
Fiscal Note: (Dated February 10, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 5; Title 7, Chapter 35; Title 65 and Title 69, relative to water quality.
Cosponsors: Rep. Faison, Jeremy
Comment: Home Builder's bill
SB2224 - S. Southerland - 03/12/20 - Re-referred to Senate Calendar Committee.
20. HB2561
Rudder I. **UTILITIES: Bledsoe Regional Water Authority.** Repeals the Bledsoe Regional Water Authority.
Fiscal Note: (Dated February 5, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 12, relative to the Bledsoe Regional Water Authority.
SB2320 - K. Roberts - 02/24/20 - Senate passed.

22. HB2793 Johnson G. **ENVIRONMENT & NATURE: Requires rules for recovered materials processing facilities** Requires the commissioner of environment and conservation to establish rules to create a permanent process for owners and operators of recovered material processing facilities. Requires the permitting process to mirror those under the Tennessee Solid Waste Disposal Act and to include the creation of a permit fee, schedule of fines and provisions ensuring that the facilities operate according to the law.
Fiscal Note: (Dated February 22, 2020) Increase State Revenue - \$242,200/FY20-21/TDEC \$235,600/FY21-22 and Subsequent Years/TDEC Increase State Expenditures - \$242,200/FY20-21/TDEC \$235,600/FY21-22 and Subsequent Years/TDEC
Caption: AN ACT to amend Tennessee Code Annotated, Title 68, relative to recovered materials processing facilities.
Cosponsors: Rep. Clemmons, John
SB2521 - R. Briggs - 03/04/20 - Senate Energy, Agriculture & Natural Resources Committee deferred to TACIR.
23. HB2892 Russell L. **ENVIRONMENT & NATURE: Department of environment and conservation permits.** Specifies the time frame in which the department of environment and conservation must deny or issue permits. Requires the department issue a decision within 30 days of receipt of a complete application, otherwise the application is considered approved and permit is issued. Exempts certain acts from these permitting requirements. Reduces the time frame for approving or denying Aquatic resource alteration permits, the reissuance of national pollutant discharge elimination system (NPDES) permits and new or modified (NPDES) permits to 30 days.
Amendment Summary: Senate amendment 1, House Agriculture & Natural Resources Subcommittee amendment 1 (015949) deletes all language after the enacting clause. Requires that permits for the installation of subsurface sewage disposal systems be granted or denied by the TDEC within 45 days of receiving all information necessary to make a determination or the Department must refund the permit processing fee to the permit applicant. Requires the TDEC to provide a permit applicant, in writing, of what information is necessary to make such determination. If such a permit is denied, the Department is required to include a clear, written explanation for the denial with citations to any rules or statutes that were relied on in making the determination.
Fiscal Note: (Dated March 1, 2020) Decrease State Revenue Exceeds \$10,000,000/FY20-21 and Subsequent Years/ Environmental Protection Fund Increase State Expenditures Exceeds \$4,000,000/FY20-21 and Subsequent Years/ General Fund Decrease State Expenditures Exceeds \$10,000,000/FY20-21 and Subsequent Years Environmental Protection Fund Decrease Federal Expenditures Exceeds \$10,000,000 SB 2119 - HB 2892 1
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 11; Section 39-14-306; Section 57-4- 102; Title 59; Title 62; Title 66; Title 68; Title 69 and Title 70, relative to the time within which the department of environment and conservation performs certain functions.
Cosponsors: Sen. Pody, Mark
SB2119 - J. Bowling - 03/09/20 - Senate passed with amendment 1 (015949).
27. HB845 Todd C. **ENVIRONMENT & NATURE: Regulatory oversight regarding effluents when federal government lacks funds.** Requires state assume regulatory oversight over effluents during periods when the federal government lacks adequate funds to exercise such responsibilities.
Amendment Summary: Senate Energy, Agriculture & Natural Resources Committee amendment 1, House Agriculture & Natural Resources Subcommittee amendment 1 (015216) deletes all language after the enacting clause. Exempts soil intended for use or reuse from being defined as discarded material constituting waste."
Fiscal Note: (Dated March 14, 2019) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 68 and Title 69, relative to environmental protection.
Comment: TN Chamber bill
SB811 - E. Jackson - 03/12/20 - Senate deferred to 03/19/20.
28. HB2636 Holt A. **ENVIRONMENT & NATURE: Broadens groups represented by the advisory committee to the division of water pollution control.** Requires recreational users of streams be included in groups represented by the advisory committee to the division of water pollution control appointed to assist the division of water management concerning the removal of debris from streams and stabilization of stream banks. Broadly captioned.
Amendment Summary: Senate Energy, Agriculture & Natural Resources Committee amendment 1, House Agriculture & Natural Resources Subcommittee amendment 1 (015789) deletes all language after the enacting clause. Creates provisions regarding in-lieu fees for adequate compensatory mitigation to not result in a condition of pollution for permits authorizing permanent impacts to waters of the state provision. Specifies failure by an in-lieu fee sponsor to timely complete land acquisition and initial physical and biological improvements as liabilities the commissioner can access against polluters or violators.
Fiscal Note: (Dated February 13, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1, relative to water quality.
Comment: Bill from Waller Lansden
SB2219 - S. Southerland - 03/09/20 - Re-referred to Senate Calendar Committee.

Tue 3/17/20 10:30am - Senate State & Local Government Committee, Senate Hearing Rm I

HEADER: The committee will convene again on Wednesday, March 18th to take up any remaining bills from this calendar. The committee will have a budget hearing by the TN Department of Correction. MEMBERS: CHAIR S. Dickerson (R); VICE CHAIR R. Briggs (R); 2ND VICE CHAIR T. Gardenhire (R); E. Jackson (R); B. Kelsey (R); S. Reeves (R); D. White (R); K. Yager (R); J. Yarbro (D)

93. SB2491
Dickerson
S.
- UTILITIES: Increases amount of required meetings of the underground utility damage enforcement board.** Changes the frequency with which the underground utility damage enforcement board must meet each calendar year from a minimum of two times to a minimum of three times. Broadly captioned.
Amendment Summary: House Commerce Committee amendment 1 (015516) deletes all language after the enacting clause and rewrites the bill. Requires a person responsible for the excavation or demolition designate the location of the proposed area of excavation or demolition by marking the area with "safety white" color-coded stakes or white paint and increases penalties for companies not complying to regulations. Requires hand digging and non-invasive methods be used when possible inside a marked safety zone. Sets protocol for reporting incidents of damage to underground utilities that cause escape of flammable, toxic, or corrosive substances.
Fiscal Note: (Dated February 11, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 28 and Title 65, Chapter 31, relative to utility facilities safety enforcement.
HB2158 - P. Marsh - 03/12/20 - Set for House Finance, Ways & Means Subcommittee 03/17/20.

Tue 3/17/20 1:00pm - Senate Commerce & Labor Committee, Senate Hearing Rm I

HEADER: Final Calendar. MEMBERS: CHAIR P. Bailey (R); VICE CHAIR A. Swann (R); 2ND VICE CHAIR J. Lundberg (R); R. Akbari (D); D. Gresham (R); J. Johnson (R); F. Niceley (R); S. Southerland (R); B. Watson (R)

4. SB2451
Roberts K.
- PROFESSIONS & LICENSURE: Licensing Independence for Future Tennesseans Act.** Enacts the Licensing Independence for Future Tennesseans Act or LIFT Act. Authorizes a licensing authority to issue a license to practice if an applicant meets certain requirements including if the applicant holds a valid license in another state, they held the license in another state for at least one year prior to application, the other state required the application to pass an examination and the applicant does not have a disqualifying criminal history. Establishes other requirements for applicants and licensing authorities.
Fiscal Note: (Dated February 7, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 62, Chapter 76 and Title 63, Chapter 1, relative to occupational licensing.
Cosponsors: Rep. Calfee, Kent, Rep. Moon, Jerome
HB1944 - M. Daniel - 03/10/20 - Taken off notice in House Business Subcommittee.

Tue 3/17/20 3:30pm - House Finance, Ways & Means Subcommittee, House Hearing Rm I

HEADER: The subcommittee will meet immediately following the full Finance Committee. Any bills not taken up today, will be taken up on Wednesday at 11:00 am. MEMBERS: CHAIR G. Hicks (R); J. Deberry Jr. (D); R. Tillis (R); R. Staples (D); L. Miller (D); A. Holt (R); D. Hawk (R); R. Gant (R); K. Camper (D); B. Ogles (R); S. Lynn (R); M. Hill (R); P. Hazlewood (R); S. Whitson (R)

8. HB2158
Marsh P.
- UTILITIES: Increases amount of required meetings of the underground utility damage enforcement board.** Changes the frequency with which the underground utility damage enforcement board must meet each calendar year from a minimum of two times to a minimum of three times. Broadly captioned.
Amendment Summary: House Commerce Committee amendment 1 (015516) deletes all language after the enacting clause and rewrites the bill. Requires a person responsible for the excavation or demolition designate the location of the proposed area of excavation or demolition by marking the area with "safety white" color-coded stakes or white paint and increases penalties for companies not complying to regulations. Requires hand digging and non-invasive methods be used when possible inside a marked safety zone. Sets protocol for reporting incidents of damage to underground utilities that cause escape of flammable, toxic, or corrosive substances.
Fiscal Note: (Dated February 11, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 28 and Title 65, Chapter 31, relative to utility facilities safety enforcement.
SB2491 - S. Dickerson - 03/12/20 - Set for Senate State & Local Government Committee 03/17/20.

33. HB1633
Gant R. **UTILITIES: Use of revenues by municipal utility systems.** Requires a municipal utility board or the municipal governing body and the comptroller of the treasury to establish procedures and guidelines for a natural gas utility system to devote revenues derived from the system to fund chambers of commerce or economic and community organizations. Requires certain financial reporting by any chambers of commerce or economic and community organizations receiving such funds.
Amendment Summary: Senate amendment 1, House Commerce Committee amendment 1 (014983) deletes and rewrites language of the original bill such that the substantive changes (1) limit the scope of receipts and expenditures provided by applicable chambers of commerce or economic and community organizations to the COT to only those which are relative to the use of funds received from a municipal natural gas utility; and (2) change the effective date from upon becoming law to January 1, 2021.
Fiscal Note: (Dated January 25, 2020) Increase Local Expenditures Exceeds \$100/FY20-21 and Subsequent Years/Permissive
Caption: AN ACT to amend Tennessee Code Annotated, Section 7- 34-115, relative to the use of revenues by municipal utility systems.
Cosponsors: Sen. Powers, Bill
SB1961 - D. Gresham - 03/05/20 - Senate passed with amendment 1 (014983).

Tue 3/17/20 4:30pm - House Education K-12 Subcommittee, House Hearing Rm III

HEADER: Final Calendar. MEMBERS: CHAIR J. Ragan (R); A. Parkinson (D); V. Dixie (D); S. Cepicky (R); J. Sexton (R); J. Windle (D); M. White (R); T. Weaver (R); I. Rudder (R); K. Haston (R)

8. HB2017
Lamar L. **EDUCATION: Lead contamination testing in schools.** Requires the department of education with assistance from the department of health, not local boards of education, to develop and implement a program to test water in public schools, public charter schools, and child care programs for lead contamination. Lowers the level of contamination required for removal of water source from 20 parts per billion to 15 parts per billion. If the results exceed 15 parts per billion then parents and guardians must be notified within 24 hours, rather than 5 days.
Fiscal Note: (Dated March 2, 2020) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 2, relative to water quality.
SB2024 - R. Akbari - 03/12/20 - Set for Senate Education Committee 03/16/20.

Wed 3/18/20 8:00am - House Education Committee, House Hearing Rm I

HEADER: The committee will have budget hearings by the State Board of Education and the University of Memphis. MEMBERS: CHAIR M. White (R); VICE CHAIR K. Haston (R); G. Johnson (D); J. Ragan (R); I. Rudder (R); J. Sexton (R); K. Vaughan (R); T. Weaver (R); J. Windle (D); C. Baum (R); D. Hawk (R); J. Clemmons (D); A. Parkinson (D); D. Moody (R); H. Love Jr. (D); D. Byrd (R); S. Cepicky (R); M. Cochran (R); J. Coley (R); J. Deberry Jr. (D); V. Dixie (D); B. Dunn (R); J. Hodges (D); C. Hurt (R)

4. HB2169
Hazlewood
P. **EDUCATION: Water bottle filling stations in schools.** Requires an LEA or the governing body of a public charter school that constructs or renovates a public school or public charter school building to install water bottle filling stations for students. Requires at least one station for every 75 students enrolled, one on each floor, one in the school food service area and one near gym, outdoor learning areas, athletic facilities and playgrounds. Prohibits schools from denying students' ability to bring clear water bottles on campus.
Amendment Summary: House Education K-12 Subcommittee amendment 1 (015631) deletes all language after the enacting clause so that the only substantive changes are 1) installed water bottle filling stations must be ADA compliant; 2) Defines "ADA compliant;" and 3) Removes the requirement that there be one bottle filling station for every 75 students enrolled in a school.
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Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 13; Title 49, Chapter 2 and Title 49, Chapter 3, relative to access to water in public schools.
SB2102 - B. Massey - 03/12/20 - Set for Senate Education Committee 03/16/20.