



# RYAN SWINDELL

## GOVERNMENT RELATIONS

### Clean Water Professionals of Kentucky-Tennessee

Calendar Report - Week of March 22, 2021

#### Mon 3/22/21 9:30am - House Hearing Rm I, House Finance, Ways & Means Committee

HEADER: No bills on notice. The committee will have budget hearings by the following: TN Bureau of Investigation, TN Department of Environment and Conservation and TN Department of Agriculture. MEMBERS: CHAIR P. Hazlewood (R); VICE CHAIR C. Baum (R); S. Campbell (R); K. Camper (D); J. Crawford (R); J. Faison (R); B. Freeman (D); R. Gant (R); J. Garrett (R); J. Gillespie (R); D. Hawk (R); G. Hicks (R); L. Lamar (D); W. Lamberth (R); S. Lynn (R); L. Miller (D); B. Ogles (R); J. Sexton (R); J. Shaw (D); M. Sparks (R); C. Todd (R); S. Whitson (R); R. Williams (R); J. Windle (D); J. Zachary (R)

#### Mon 3/22/21 2:00pm - House Hearing Rm I, House Government Operations Committee

HEADER: HB531 was added to the calendar by suspension of the rules on the House Floor on 03/18/21. MEMBERS: CHAIR J. Ragan (R); VICE CHAIR J. Reedy (R); D. Byrd (R); K. Calfee (R); K. Camper (D); M. Cochran (R); V. Dixie (D); J. Faison (R); G. Johnson (D); J. Lafferty (R); W. Lamberth (R); M. Littleton (R); P. Marsh (R); M. Stewart (D); T. Warner (R)

16. HB729 Ragan J. **ENERGY & MINING: Membership of state energy policy council.** Increases the number of members on the state energy policy council from 14 members to 15 members and adds the Tennessee public utility commission chair or the chair's designee as a voting member of the council.  
**Fiscal Note:** (Dated February 19, 2021) Increase State Expenditures \$200/FY21-22 and Subsequent Years/ State Energy Policy Council  
**Caption:** AN ACT to amend Tennessee Code Annotated, Section 68-204-104, relative to the state energy policy council.  
SB849 - M. Pody - 03/17/21 - Senate Energy, Agriculture & Natural Resources Committee recommended. Sent to Senate Calendar Committee.

#### Tue 3/23/21 9:00am - House Hearing Rm II, House Civil Justice Subcommittee

MEMBERS: CHAIR A. Farmer (R); M. Carter (R); J. Clemmons (D); M. Curcio (R); J. Garrett (R); B. Griffey (R); B. Ogles (R); A. Parkinson (D); B. Ramsey (R)

8. HB1023 Potts J. **JUDICIARY: Empanelment of juries for general sessions courts when sitting as an environmental court.** Authorizes counties that have environmental courts to approve by a two-thirds vote of county legislative body the empanelment of juries for general sessions courts when sitting as an environmental court. Broadly captioned.  
**Fiscal Note:** (Dated March 18, 2021) Increase Local Expenditures \$396,000/FY21-22 and Subsequent Years/Permissive  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 16; Title 17; Title 18; Title 19; Title 20; Title 22; Title 27; Title 29; Title 39 and Title 40, relative to environmental courts.  
SB1108 - B. Gilmore - 02/22/21 - Referred to Senate Judiciary Committee.

Tue 3/23/21 10:30am - House Hearing Rm III, House Agriculture & Natural Resources  
Subcommittee

MEMBERS: CHAIR C. Todd (R); M. Cochran (R); T. Darby (R); C. Halford (R); B. Hulsey (R); C. Hurt (R); J. Potts (D); J. Reedy (R); J. Shaw (D)

1. HB199  
Carter M. **ENVIRONMENT & NATURE: Stormwater management - abatement of fees owed by property owner.** Requires a municipality to abate the storm water fees owed by a property owner until such fees equal the construction costs of any holding or retention ponds constructed by the property owner pursuant to the Clean Water Act.  
**Amendment Summary:** Senate Energy, Agriculture & Natural Resources Committee amendment 1 (004699) deletes and rewrites language of the original bill such that the substantive change limits applicability to 501(c)(3) tax-exempt nonprofit organizations.  
**Fiscal Note:** (Dated March 8, 2021) Decrease Local Revenue Exceeds \$5,000,000/FY21-22 and Subsequent Years Other Fiscal Impact Local governments may increase storm water user fees charged to other customers to compensate, fully or partially, for recurring, mandatory, decreases in local revenue. The proposed language may result in mandatory increases in local government expenditures to maintain current operations, the extent and timing of which cannot reasonably be determined. \*  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, relative to storm water management.  
SB113 - T. Gardenhire - 03/17/21 - Senate Energy, Agriculture & Natural Resources Committee recommended with amendment 1 (004699). Sent to Senate Calendar Committee.
3. HB584  
Terry B. **ENVIRONMENT & NATURE: Annual reports submitted by municipal solid waste regions to commissioner.** Extends the deadline for municipal solid waste regions to submit their annual reports to the commissioner of environment and conservation from March 31 to April 15. Broadly captioned.  
**Amendment Summary:** Senate Energy, Agriculture & Natural Resources Committee amendment 1 (005307) deletes all language after the enacting clause. Prohibits the Commissioner of the Department of Environment and Conservation (TDEC) from approving any application for waste evaluation or recertification of waste evaluation that is submitted on or after July 1, 2021, that would authorize the disposal of sewage sludge that has not undergone aerobic or anaerobic digestion as specified in Environmental Regulations and Technology Control of Pathogens and Vector Attraction in Sewage Sludge , EPA 625/R-92/013, rev. July 2003, in a Class I landfill when the sewage sludge does not originate from the same county as the county where the landfill is located, unless approved by a two-thirds vote of the legislative body in which the landfill is located. Requires that any approval by such legislative body must specifically authorize disposal of undigested sewage sludge, which is imported from outside the county, in a Class I landfill located in the county. Establishes that a county or municipal legislative body s general authorization to locate a Class I landfill in the county is not sufficient to authorize the Commissioner of the TDEC to approve any application for waste evaluation or recertification of waste evaluation, as aforementioned. Establishes that this act only applies to Rutherford County  
**Fiscal Note:** (Dated February 5, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 68, relative to environmental protection.  
SB1137 - D. White - 03/17/21 - Senate Energy, Agriculture & Natural Resources Committee recommended with amendment 1 (005307). Sent to Senate Calendar Committee.
5. HB871  
Campbell S. **LOCAL GOVERNMENT: Open pit mines and quarries - exemption from local regulations.** Establishes that formerly operating pit mines or quarries that agree to receive fill or borrow material from state highway construction projects are exempt from local regulations that limit the operator's ability to fill the pit and reclaim and restore the site. Requires the fill work to comply with the Tennessee Water Pollution Control Act and the applicable state rules.  
**Amendment Summary:** Senate Energy, Agriculture & Natural Resources Committee amendment 1 (004901) deletes and rewrites all language after the enacting clause such that the only substantive changes; replace formerly operating pit mine or quarry with former surface mining operation or operation as defined in Tenn. Code Ann. 59-8-202; and specify that such applicable restrictions, rules, regulations, ordinances, and laws, include, but are not limited to, prohibitive zoning, limits on truck traffic, weight limits or distance limitations or other operational limitations.  
**Fiscal Note:** (Dated March 14, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 59, Chapter 8, relative to reclamation.  
SB836 - F. Niceley - 03/17/21 - Senate Energy, Agriculture & Natural Resources Committee recommended with amendment 1 (004901). Sent to Senate Calendar Committee.
7. HB1389  
Todd C. **ECONOMIC DEVELOPMENT: Development of strategies for improvements for non-fish and game recreational activities.** Requires the department to review for possible funding resources and develop strategies for improvements for non-fish and game recreational activities, in conjunction with the Tennessee wildlife resources agency and the department of environment and conservation and report its findings to the governor and the general assembly by January 1, 2022. Broadly captioned.  
**Amendment Summary:** Senate Energy, Agriculture & Natural Resources Committee amendment 1 (005042) deletes all language after the enacting clause. Requires the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to study certain aspects of non-fish and game recreational activities as they relate to certain operations of the Department of Environment and Conservation and the Tennessee Wildlife Resources Agency and report its findings and recommendations to the General Assembly by December 31, 2022. Repeals the provisions of the proposed language January 1, 2023.  
**Fiscal Note:** (Dated March 11, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 69 and Title 70, relative to recreational

activities.

SB1080 - K. Roberts - 03/17/21 - Senate Energy, Agriculture & Natural Resources Committee recommended with amendment 1 (005042). Sent to Senate Calendar Committee.

## Tue 3/23/21 10:30am - House Hearing Rm I, House Commerce Committee

MEMBERS: CHAIR K. Vaughan (R); VICE CHAIR R. Bricken (R); R. Alexander (R); C. Boyd (R); K. Calfee (R); K. Camper (D); J. Faison (R); K. Haston (R); P. Hazlewood (R); J. Hodges (D); J. Holsclaw, Jr. (R); C. Johnson (R); S. Lynn (R); E. Mannis (R); J. Moon (R); J. Powell (D); D. Powers (R); M. Sparks (R); D. Thompson (D); J. Towns Jr. (D); J. Zachary (R)

8. HB649 **UTILITIES: Utility management review board to approve mergers, consolidations.** Authorizes the utility management review board to approve mergers, as well as consolidations, involving financially distressed utility districts.  
Vaughan K.  
**Amendment Summary:** House Business and Utilities Subcommittee amendment 1 (005256) allows the utility management review board to consider the acquisition of the financially distressed utility district by an investor-owned or cooperatively owned utility to restore the financial stability and ensure continued operations.  
**Fiscal Note:** (Dated February 23, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 82, Part 7, relative to the utility management review board.  
SB517 - R. Briggs - 02/11/21 - Referred to Senate State & Local Government Committee.

## Tue 3/23/21 10:30am - Senate Hearing Rm I, Senate State & Local Government Committee

HEADER: The committee will have budget hearings by the TN Department of Corrections and the TN Department of General Services. SJR55 was added to the calendar by suspension of the rules on the Senate Floor on 03/18/21. MEMBERS: CHAIR R. Briggs (R); VICE CHAIR T. Gardenhire (R); 2ND VICE CHAIR P. Walley (R); E. Jackson (R); B. Kelsey (R); S. Kyle (D); B. Powers (R); K. Yager (R); J. Yarbro (D)

55. SB533 **UTILITIES: Redefines "change in net position" for purposes of financially distressed utility districts and water or wastewater facilities.** Redefines "change in net position" for purposes of financially distressed utility districts and water or wastewater facilities. Removes excluded non-cash items from reduction. Corrects a reference that should be to a petition for a new utility system.  
Reeves S.  
**Fiscal Note:** (Dated March 4, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Section 7- 82-401; Section 68-221-1017 and Section 68-221- 1010, relative to utilities.  
HB651 - R. Alexander - 03/16/21 - House Commerce Committee recommended. Sent to House Calendar & Rules.

## Tue 3/23/21 4:30pm - House Hearing Rm II, House K-12 Subcommittee

MEMBERS: CHAIR K. Haston (R); M. Carringer (R); G. Casada (R); S. Cepicky (R); J. Clemmons (D); C. Hurt (R); H. Love Jr. (D); J. Ragan (R); M. White (R)

12. HB861 **EDUCATION: Local board of education policy that incorporates biennial testing for lead levels in drinking water.** Changes the frequency requirements for local boards of education to test lead levels in drinking water from a maximum of biennial testing to a minimum of biennial testing.  
Hakeem Y.  
**Fiscal Note:** (Dated February 24, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 2, Part 1, relative to lead-level tests.  
SB789 - S. Kyle - 02/11/21 - Referred to Senate Education Committee.

## Tue 3/23/21 4:30pm - House Hearing Rm III, House Property & Planning Subcommittee

MEMBERS: CHAIR D. Carr (R); M. Carter (R); J. Crawford (R); J. Hodges (D); T. Leatherwood (R); D. Moody (R); J. Reedy (R); J. Sexton (R); D. Wright (R)

7. HB854 **TAXES PROPERTY: Classification of land as agricultural, forest, or open space land.** Extends, from March 1 to March 15, the deadline by which a landowner must file with the assessor of property an application for land to be classified as agricultural, forest, or open space land and removes the ability for the assessor to void the rollback assessment if it is determined that the assessment was imposed in error. Broadly captioned.  
Helton E.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, relative to property taxes.  
SB1532 - K. Roberts - 02/22/21 - Referred to Senate State & Local Government Committee.

## Wed 3/24/21 9:00am - House Hearing Rm IV, House Public Service Subcommittee

MEMBERS: CHAIR E. Helton (R); R. Alexander (R); D. Jernigan (D); C. Johnson (R); K. Keisling (R); P. Marsh (R); J. Windle (D)

8. HB509  
Boyd C. **UTILITIES: Electronic participation by utilities board members.** Authorizes board members of utility districts and water, wastewater, and natural gas utility authorities to participate in board meetings by electronic or other means of communication.  
**Fiscal Note:** (Dated February 5, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Section 8- 44-108, relative to electronic participation by utilities board members.  
SB508 - J. Lundberg - 02/11/21 - Referred to Senate State & Local Government Committee.

## Wed 3/24/21 11:00am - House Hearing Rm III, House Finance, Ways & Means Subcommittee

HEADER: HB585 and HB1233 were added to the calendar by suspension of the rules on the House Floor on 03/18/21. MEMBERS: CHAIR G. Hicks (R); C. Baum (R); K. Camper (D); B. Freeman (D); R. Gant (R); D. Hawk (R); P. Hazlewood (R); S. Lynn (R); B. Ogles (R); C. Todd (R); S. Whitson (R); R. Williams (R); J. Windle (D)

35. HB517 Gant  
R. **ENVIRONMENT & NATURE: Membership of the Chickasaw Basin Authority.** Expands the scope of the Chickasaw Basin Authority to include all counties located within the drainage area of the authority.  
**Fiscal Note:** (Dated January 26, 2021) Other Fiscal Impact The extent and timing of any shift in permissive local expenditures cannot reasonably be determined; however, the net fiscal impact to local government is considered not significant.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 2, relative to the membership of the Chickasaw Basin Authority.  
SB276 - P. Rose - 03/15/21 - Senate passed.

## Wed 3/24/21 2:00pm - House Hearing Rm III, House Agriculture & Natural Resources Committee

MEMBERS: CHAIR C. Halford (R); VICE CHAIR R. Grills (R); M. Cochran (R); B. Cooper (D); T. Darby (R); C. Doggett (R); G. Hardaway (D); B. Hulse (R); C. Hurt (R); J. Potts (D); J. Reedy (R); I. Rudder (R); J. Shaw (D); C. Todd (R); R. Travis (R); D. Wright (R)

1. HB227  
Vaughan  
K. **ENVIRONMENT & NATURE: Water Quality Control Act - permits.** Requires the department of environment and conservation to take certain actions to ensure that in-lie fee sponsors secure mitigation for permanent impacts to waters. Allows the commissioner to assess the liability of any polluter or violator for damages to the state resulting from any person's pollution or violation, failure, or neglect in complying with any rules or standards of water quality promulgated by the board or permits, including failure by an in-lieu fee sponsor to timely complete land acquisition and initial physical and biological improvements.  
**Fiscal Note:** (Dated January 30, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1, relative to water quality.  
SB1049 - S. Southerland - 03/15/21 - Senate passed.
4. HB1138  
Grills R. **ENVIRONMENT & NATURE: West Tennessee River Basin Flood Resiliency Fund Act.** Enacts the "West Tennessee River Basin Flood Resiliency Fund Act," which creates the West Tennessee River basin authority flooding resiliency fund. Establishes regulations regarding sources for the fund. Specifies that the fund can be used for flood control, flood risk reduction, stream and wetland restoration, water resource education and other uses for flood resiliency. Authorizes county mayors to appoint a designee to serve on the West Tennessee River basin authority board of directors.  
**Fiscal Note:** (Dated March 14, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 11, relative to the West Tennessee River Basin Authority.  
SB1189 - E. Jackson - 03/17/21 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

## Wed 3/24/21 3:30pm - House Hearing Rm III, House Business & Utilities Subcommittee

MEMBERS: CHAIR C. Boyd (R); R. Alexander (R); K. Calfee (R); P. Hazlewood (R); J. Hodges (D); J. Holsclaw, Jr. (R); C. Johnson (R); E. Mannis (R); D. Thompson (D); K. Vaughan (R); J. Zachary (R)

3. HB1382  
Todd C. **UTILITIES: TPUC annual report to general assembly and governor.** Requires the public utility commission to make an electronic copy of its annual report to the general assembly and governor available on its website and accessible to the general public. Broadly captioned.  
**Fiscal Note:** (Dated February 13, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 8; Title 13; Title 47, Chapter 18 and Title 65, relative to oversight of utility providers.  
SB1572 - P. Bailey - 02/22/21 - Referred to Senate Commerce & Labor Committee.

5. HB390  
Harris T. **UTILITIES: Policies governing discontinuation of service for nonpayment.** Prohibits a utility governing body from discontinuing service on a day on which reconnections cannot take place within 24 hours or on the day preceding or following a legal holiday. Makes statewide the requirement for utilities to establish a policy governing discontinuation of service for nonpayment. In current law, requirement only applies to Davidson County.  
**Fiscal Note:** (Dated February 5, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 7 and Title 65, relative to utilities.  
SB1305 - J. Yarbro - 02/22/21 - Referred to Senate State & Local Government Committee.
6. HB1328  
Harris T. **UTILITIES: Cutting off of service by a utility.** Prohibits a utility from cutting off an existing service at an address to establish a new service at the same address without the utility first contacting the registered customer with the existing service at the address and confirms the utility has the correct address; this would apply to all counties. Broadly captioned.  
**Fiscal Note:** (Dated February 19, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 7; Title 47, Chapter 18 and Title 65, relative to utilities.  
SB1304 - J. Yarbro - 02/22/21 - Referred to Senate State & Local Government Committee.