State of Tennessee

PUBLIC CHAPTER NO. 195

SENATE BILL NO. 464

By Hensley, Campbell, Yarbro

Substituted for: House Bill No. 447

By Cepicky, Whitson, Jernigan, Vital, Capley, Haston, Harris, Barrett, Gloria Johnson, Hemmer, Jones, Eldridge, McCalmon, Bulso, Clemmons, White, Lynn, Hawk, Hakeem, Kumar, Towns, Shaw, Powell, Thompson, Chism

AN ACT to amend Tennessee Code Annotated, Title 11, Chapter 13; Title 64, Chapter 1, Part 6 and Title 68, Chapter 211, relative to scenic rivers.

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

SECTION 1. Tennessee Code Annotated, Section 11-13-104, is amended by adding the following language under the designation "Class II Pastoral River Areas":

Duck River – That segment of the Duck River beginning at Industrial Park Road approximately at river mile 128 extending continuously to a point downstream to the boundary of Hickman County at approximately river mile 98 downstream from the Natchez Trace River Bridge.

SECTION 2. Tennessee Code Annotated, Section 11-13-111(a), is amended by deleting the word "and" at the end of subdivision (1), replacing the period at the end of subdivision (2) with the language "; and", and by adding the following new subdivision:

(3)(A) In Class II scenic river areas, the construction and operation of sewer treatment facilities, water treatment facilities, and water harvesting projects by municipalities and public utilities within the watershed, either individually or collectively, and regional water resource projects identified by the Tennessee Duck River development agency, created by § 64-1-601, and the Tennessee Valley authority in their regional water supply plans and studies, are permitted; provided, that any such use must be in accordance with rules promulgated by the commissioner of environment and conservation.

(B) The commissioner is authorized to promulgate rules to effectuate the purposes of this subdivision (a)(3). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

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

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PASSED: April 3, 2023

RANDY McNALLY
SPEAKER OF THE SENATE

CAMERON SEXTON, *SPEAKER*
HOUSE OF REPRESENTATIVES

APPROVED this 24th **day of** April **2023**

BILL LEE, *GOVERNOR*