



State of Tennessee

PUBLIC CHAPTER NO. 1082

HOUSE BILL NO. 2119

By Representatives Gravitt, McCormick, Favors, Hazlewood

Substituted for: Senate Bill No. 2370

By Senator Watson

AN ACT to amend Tennessee Code Annotated, Title 7; Title 65; Title 66 and Title 68, relative to utilities.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 221, Part 6, is amended by adding the following language as a new section:

(a)

(1) An authority shall not require a property owner who leases residential property, the property owner's agent, or a subsequent tenant of the property to pay or to guarantee the payment of charges, penalties, or other fees owed to the authority that were incurred by a former tenant of such property owner or agent.

(2) The payment restriction in subdivision (a)(1) shall only apply from September 1, 2016, to December 31, 2016.

(b)

(1) An authority shall create a written acknowledgement for the provision of services, to be made available to a property owner who leases residential property or the property owner's agent and to be completed by a tenant at the time the tenant enters into or renews a residential rental agreement. The written acknowledgement shall be used by the authority in the collection of all charges, penalties, or other fees owed to the authority by the tenant, and shall require the tenant to supply the following information:

(A) The name, social security number, telephone number, driver license number, electronic mail address, and employer, as applicable, of the tenant entering into or renewing a residential rental agreement with the property owner or property owner's agent; and

(B) Any other information the authority deems reasonably necessary for the collection of such charges, penalties, or other fees owed to the authority by the tenant.

(2)

(A) The property owner or the property owner's agent shall submit a copy of the written acknowledgement to the authority within one (1) business day of the completion of the written acknowledgement by the tenant.

(B) Upon the submission of the written acknowledgement by a property owner or a property owner's agent to the authority, the authority shall not recover from the property owner, property owner's agent, or subsequent tenant of the property any delinquent charges, penalties, or other fees incurred by the tenant.

(3) The authority shall confirm in writing the receipt of the tenant's written acknowledgement to the property owner or the property owner's agent within two (2) business days of receiving the acknowledgement from the property owner or the property owner's agent, at which time the acknowledgment shall be deemed a properly executed contract.

(4)

(A) A property owner or property owner's agent may refuse to enter into or renew a residential rental agreement with a prospective tenant who fails to provide the information required under subdivision (b)(1).

(B) If a property owner or property owner's agent enters into or renews a residential rental agreement with a tenant who fails to provide the information required under subdivision (b)(1), then the property owner or property owner's agent shall be liable to the authority for any delinquent charges, penalties, and other fees incurred by the tenant.

(c) A property owner or property owner's agent acting pursuant to this section shall not be liable for the release of information contained in a contract executed pursuant to subdivision (b)(3), or the unintentional release of such information to a third party; nor shall an authority be liable for the release of the information for collection purposes.

(d) In addition to the process prescribed pursuant to subsection (b), and notwithstanding any provision of this part to the contrary, an authority may require:

(1) A deposit of up to three (3) months of the average monthly water and wastewater fee, as determined by an authority, to be included as part of the tenant's first monthly billing statement; and

(2) The recovery of reasonable attorney fees against the tenant to the contract for the collection of charges, penalties, or other fees owed to the authority.

(e) This section shall only apply to residential rental agreements that do not utilize submetering or prorated billing by an allocation formula for the leased residential property in counties having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 federal census or any subsequent federal census.

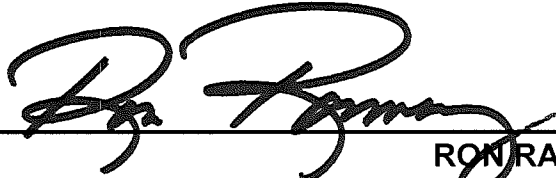
SECTION 2. For the purposes of implementing the payment restriction in subsection (a) and creating the written acknowledgement as prescribed in subdivision (b)(1), this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2017, the public welfare requiring it.

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PASSED: April 20, 2016



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 20th day of May 2016



BILL HASLAM, GOVERNOR