



State of Tennessee

PUBLIC CHAPTER NO. 148

SENATE BILL NO. 819

By Southerland, Bowling, Stevens

Substituted for: House Bill No. 764

By Halford

AN ACT to amend Tennessee Code Annotated, Title 69 and Title 70, relative to enforcement of the Water Quality Control Act.

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

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 1, Part 1, is amended by adding the following as a new section:

If the agency receives a complaint or otherwise becomes aware of a potential water quality violation regarding property used in agriculture, as defined by § 1-3-105, the agency must notify both the department of environment and conservation and the department of agriculture, as soon as practicable, pursuant to § 69-3-115(d);

SECTION 2. Tennessee Code Annotated, Section 70-1-305, is amended by deleting subdivision (10) and substituting instead the following:

(10) Arrest without warrant any person who violates the prohibited uses of waters posted pursuant to § 69-3-107(15). The power granted pursuant to this subdivision does not include the authority to investigate violations of the Water Quality Control Act, compiled in title 69, chapter 3, part 1;

SECTION 3. Tennessee Code Annotated, Section 69-3-115, is amended by deleting subsection (d) and substituting instead the following:

The department is the sole state agency authorized to conduct investigations arising under this part. Notwithstanding any law to the contrary, other state agencies may assist the department in satisfying the duties arising under this part. The department of agriculture shall be notified of investigations associated with agricultural activities.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 6, 2017



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 17th day of April 2017



BILL HASLAM, GOVERNOR