



State of Tennessee

PUBLIC CHAPTER NO. 284

SENATE BILL NO. 1371

By Johnson

Substituted for: House Bill No. 1405

By Keisling, Zachary, Sherrell, Gant, Reedy

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 201, relative to the Tennessee Air Quality Act.

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

SECTION 1. Tennessee Code Annotated, Section 68-201-115(b)(3), is amended by deleting the subdivision in its entirety and substituting instead the following:

(3) The certificate of exemption shall be granted if the board determines that:

(A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;

(B) The enactments referenced in subdivision (b)(3)(A) are being, or will be, adequately enforced; and

(C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;

SECTION 2. Tennessee Code Annotated, Section 68-201-115, is amended by adding the following new subsections:

(f) No municipality or county shall include land use or zoning requirements in its air pollution control regulations or the municipality's or county's certificate of exemption granting the municipality or county the authority to enact the regulations.

(g) No municipality or county shall request that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency pursuant to 42 U.S.C. § 7410.

SECTION 3. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

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

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PASSED: April 24, 2017



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 4th day of May 2017



BILL HASLAM, GOVERNOR