



# State of Tennessee

## PUBLIC CHAPTER NO. 661

SENATE BILL NO. 1650

By Roberts, Gresham

Substituted for: House Bill No. 1728

By Daniel

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 64, Chapter 1, relative to the Beech River watershed development authority, board of directors.

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

SECTION 1. Tennessee Code Annotated, Section 4-29-241(a), is amended by deleting subdivision (4).

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, Part 2, is amended by adding the following as a new section:

### **4-29-249.**

(a) The following governmental entities terminate on June 30, 2028:

( ) Beech River watershed development authority, board of directors, created by § 64-1-101;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2026 terminates on June 30, 2028.

(c) Any governmental entity that has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

SECTION 3. Tennessee Code Annotated, Section 64-1-101(b)(1), is amended by deleting the subdivision and substituting instead the following:

The commissioner of environment and conservation or the commissioner's designee, the county mayor of Decatur County or the mayor's designee, and the county mayor of Henderson County or the mayor's designee as ex officio members; and

SECTION 4. Tennessee Code Annotated, Section 64-1-101(e), is amended by deleting the subsection and substituting instead the following:

(1) Upon completion of the membership of the board, the members shall meet and organize in Lexington, Tennessee, set a regular time and place for the meetings of the authority, and obtain offices and all necessary equipment for the office.

(2)(A) A member who misses more than fifty percent (50%) of the scheduled meetings in a calendar year is removed as a member of the board.

(B) The presiding officer of the board shall promptly notify, or cause to be notified, the appointing authority of the member who fails to satisfy the attendance requirement prescribed in subdivision (e)(2)(A).

(3) The board may employ an executive secretary and such other persons as it deems necessary to carry out the purposes stated in this part and the salary of any such employees may be paid out of such funds as may be available to the authority from any source. The executive secretary is the custodian of funds belonging to the authority and shall

keep the records and accounts as may be required by the board. The executive secretary shall also execute a corporate surety bond as prescribed by the board.

SECTION 5. Tennessee Code Annotated, Section 64-1-102(a), is amended by deleting the following:

The authority is hereby specifically authorized and empowered to do any and all things necessary or desirable in forming and executing a plan for the comprehensive development of the resources of the Beech River watershed, including, but not limited to, action in cooperation, when necessary or desirable, with appropriate local, state and federal agencies, in the fields of agriculture, forestry, drainage and flood control, land reclamation, electric power utilization, irrigation, water conservation and supply, recreation, public health, education, manufacturing and trade. To that end the authority:

and substituting instead the following:

The authority is specifically authorized and empowered to do any and all things necessary in forming and executing a plan for the comprehensive development of the resources of the Beech River watershed, including an action in cooperation, when necessary, with appropriate local, state, and federal agencies, in the fields of agriculture, forestry, drainage and flood control, land reclamation, electric power utilization, irrigation, water conservation and supply, recreation, public health, manufacturing, and trade. To that end the authority:

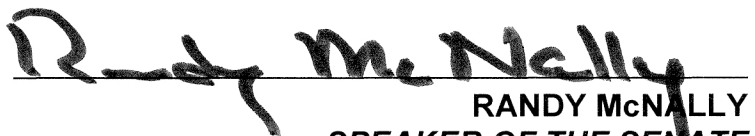
SECTION 6. Tennessee Code Annotated, Section 64-1-102, is amended by adding the following as a new subsection:

The authority shall not exercise any broad governmental controls or police powers to regulate land use planning, zoning, subdivision regulations, building codes, or similar powers to regulate land use.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1650

PASSED: March 19, 2020

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 2<sup>nd</sup> day of April 2020

  
BILL LEE, GOVERNOR