

HOUSE BILL 408

By Clemmons

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6; Title 7; Title 65 and Title 68, relative to
utilities.

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

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 32, is amended by adding the following as a new section:

(a) As used in this section, "affected entities" means entities that deliver energy that powers heating or cooling to a residential property.

(b) An affected entity shall not shut off or stop energy delivery to a residential property on days when, with regard to the location where the meter is located:

(1) A state of emergency has been declared by a governmental entity due to weather; or

(2) Temperatures have reached levels established by the department of health that, based on best available scientific evidence and research, energy shutoff would be a threat to health and safety.

(c) The department of health shall:

(1) Promulgate rules establishing temperature levels at which, based on best available scientific evidence and research, energy shutoff would be a threat to health and safety; and

(2) Post the temperature levels established pursuant to subdivision (c)(1) on its website and notify affected entities that the levels have been posted.

However, a failure of affected entities to receive such notice does not discharge the duty of an affected entity to comply with the requirements of subsection (b).

(d) The utility management review board and the Tennessee public utility commission, as applicable, have enforcement authority over affected entities for a violation of this section.

(e) Notwithstanding § 65-32-102, this section applies statewide.

SECTION 2. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it.