



State of Tennessee

PUBLIC CHAPTER NO. 342

SENATE BILL NO. 407

By Hensley

Substituted for: House Bill No. 523

By Haston, Todd

AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1, relative to water quality.

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

SECTION 1. Tennessee Code Annotated, Section 69-3-108, is amended by adding the following as a new subsection:

(x)(1) The department may issue an aquatic resource alteration permit to a person in connection with the removal of sand, gravel, and similar sediments or deposits from streams or wetlands.

(2) A person who is issued a permit under this section associated with the commercial recovery of sand, gravel, and similar sediments or deposits, from a stream or wetland that is the property of this state is deemed to have received ownership of these materials from this state upon removal by the permittee from the stream or wetland and payment to this state as provided in subdivision (x)(3), notwithstanding the provisions of title 12 or another law to the contrary.

(3) If the permittee removes sand, gravel, or similar sediments from property of this state, it shall compensate the state for two and one-half percent (2.5%) of the market value of the finished product.

(4) The department shall not grant a permit associated with the removal of sand, gravel, or similar sediments from streams or wetlands located on private property unless the permit applicant owns the property, owns the mineral estate, or has received written consent from the private property owner, and has submitted documentation of such ownership or consent to the department.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 407

PASSED: April 19, 2023



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 5th day of May 2023



BILL LEE, GOVERNOR