

HOUSE BILL 527

By Tidwell

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6 and Title 38, relative to county government.

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

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 6, Part 1, is amended by adding the following language as a new section thereto:

5-6-1____.

(a) Notwithstanding law to the contrary, the county mayor has the power to:

- (1) Regulate open-air burning and the use of fireworks; and
- (2) Impose a curfew in accordance with the provisions of § 38-9-103.

(b) The powers granted in subsection (a) apply only within the unincorporated areas. Nothing in subsection (a) may be construed to allow any county to prohibit or in any way impede any municipality in exercising any power or authority the municipality may lawfully authorize.

SECTION 2 Tennessee Code Annotated, Section 38-9-101(1), is amended by adding the following language at the end of the subdivision:

"or the county mayor elected in accordance with title 5, chapter 6, part 1."

SECTION 3. Tennessee Code Annotated, Sections 38-9-102, is amended by deleting the language "municipality" wherever it appears and substituting instead the language "municipality or county".

SECTION 4. Tennessee Code Annotated, Section 38-9-103, is amended by deleting the language "municipality" wherever it appears and substituting instead the language "municipality or county".

SECTION 5. Tennessee Code Annotated, Section 38-9-105, is amended by deleting the section in its entirety and substituting instead the following language:

Municipalities or counties may provide by ordinance or resolution that any person violating the provisions of orders issued by the chief administrative officer pursuant to this authorization during a proclaimed civil emergency commits a Class C misdemeanor.

SECTION 6. Tennessee Code Annotated, Section 38-9-106, is amended by deleting the language "municipal law enforcement" and substituting instead "local law enforcement".

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