

HOUSE BILL 1142

By Sexton

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 82, relative to the provision of certain
utility services.

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

SECTION 1. Tennessee Code Annotated, Section 7-82-202, is amended by adding the following language as a new subsection (g):

(g)

(1) If a utility district has been incorporated pursuant to this section, and the utility district fails to provide the services it proposed to provide when the utility district was created, the municipality or county in which the utility district is located, may file a petition with the utility management review board requesting the board to issue an order dissolving the utility district in favor of the municipality or county filing the petition.

(2) After holding a hearing and providing an opportunity for the utility district to be heard, the utility management review board shall issue such order if it finds upon a preponderance of the evidence that the utility district:

(A) Has deviated substantially from providing the amount or type of service or services it stated it would supply in the petition filed for incorporation pursuant to § 7-82-201;

(B) Is financially unable to expand the amount or type of service or services it stated it would supply in the petition filed for incorporation pursuant to § 7-82-201; or irreparably,

(C) Is financially distressed.

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