



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 1044**

### **SENATE BILL NO. 2204**

**By Lowe, Yager**

Substituted for: House Bill No. 1946

By Howell, Richey, Whitson, Cochran, Raper

AN ACT to amend Tennessee Code Annotated, Title 4; Title 11; Title 65, Chapter 15 and Title 70, Chapter 7, relative to the Ocoee River.

WHEREAS, Tennessee is fortunate to be home to numerous rivers that serve the State's community in various ways; and

WHEREAS, the Tennessee Department of Environment and Conservation works to protect these rivers for the use and enjoyment of this State's citizens; and

WHEREAS, the Tennessee Valley Authority manages this State's river system to provide a variety of benefits as well, including flood control, navigation, hydroelectric generation, recreation, and water quality and supply; and

WHEREAS, it is the intent of the General Assembly to protect and highlight particular rivers, when appropriate, that provide such benefits through the stewardship of the Tennessee Department of Environment and Conservation and the Tennessee Valley Authority; and

WHEREAS, the Ocoee River is one such river that provides economic development opportunities, whitewater rafting opportunities, tourism, and other benefits; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 11-8-103(d), is amended by adding the following as a new, appropriately designated subdivision:

(3) The cost of making payments to the Tennessee Valley Authority for additional releases of water on the Ocoee River.

SECTION 2. Tennessee Code Annotated, Section 11-13-103, is amended by deleting the following:

Class I Natural river areas

Class II Pastoral river areas

Class III Partially developed river areas

and substituting:

Class I Natural river areas

Class II Pastoral river areas

Class III Partially developed river areas

Class IV Olympic river areas

SECTION 3. Tennessee Code Annotated, Section 11-13-103, is amended by adding the following new paragraph at the end of the section:

(4) Class IV Olympic River Areas

Those rivers or sections of rivers in areas with river management zones affected by the works of man but which still possess actual or potential scenic values, the land adjacent to that which is managed by the state in cooperation with federal agencies, and which rivers are suited to recreational whitewater rafting. These rivers may be managed for tourism promotion and economic development activities that benefit the river management zone, including releases for the benefit of persons to participate in whitewater rafting, whitewater races, special events, and for private paddlers.

SECTION 4. Tennessee Code Annotated, Section 11-13-104, is amended by adding the following language at the end of the section:

Class IV Olympic River Areas

Ocoee River – That segment of the Ocoee River from Ocoee Dam No. 3 to its confluence with Big Creek.

SECTION 5. Tennessee Code Annotated, Section 11-8-107, is amended by adding the following as a new, appropriately designated subsection:

(e)(1) The department shall not issue more than twenty-four (24) permits pursuant to this section.

(2) Persons issued and possessing a permit as of June 30, 2024, may transfer the permit with prior written approval of the commissioner:

- (A) To a member of the person's immediate family;
- (B) Pursuant to a purchase and sale agreement; or
- (C) As authorized by department rule.

(3) As used in this section, "immediate family" means a spouse, child, step-child, brother, sister, son-in-law, daughter-in-law, parent, or grandparent.

SECTION 6. For the purpose 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, 2024, the public welfare requiring it.

SENATE BILL NO. 2204

PASSED: April 24, 2024

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 25<sup>th</sup> day of May 2024

  
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BILL LEE, GOVERNOR