

SENATE BILL 1391

By Finney L

AN ACT to amend Tennessee Code Annotated, Title 13  
and Title 68, Chapter 211, relative to certain  
landfills.

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

SECTION 1. Tennessee Code Annotated, Section 68-211-701, is amended by designating the existing language as subsection (a) and by adding the following language to be designated as subsection (b):

(b) No action shall be taken by the county legislative body pursuant to subsection (a) or this part until all of the following conditions have been met:

(1) An impact report is prepared by the planning commission at the sole cost of the applicant which considers the likely impact on the immediate neighbors. During the preparation of such report, at least one (1) meeting shall be held by the planning commission in the neighborhood which will be impacted by the landfill; and

(2) The planning officials and the county legislative body holds a joint meeting, at the sole cost of the applicant, to describe the specific findings of the impact report. Such meeting shall be published at least three (3) times, once a week, prior to the meeting being held. The notice shall include the time and place the meeting will be held and state that the purpose of the meeting is to discuss the impact report.

(c) Notwithstanding subsection (a), no decision of a county legislative body concerning any new landfill to which this part applies shall supersede a decision of a municipal planning commission, a municipal regional planning commission, a regional

planning commission or a zoning board concerning where a landfill may be located or the type of landfill which may be zoned for a specific area.

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