

SENATE BILL 1434

By Stanley

AN ACT to amend Tennessee Code Annotated, Title 66 and Title 68, Chapter 212, Part 5, relative to conveyance and rental of property.

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

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 5, Part 2, is amended by adding the following language as a new section:

§ 66-5-213.

(a) Notwithstanding any other law to the contrary, no residence where a clandestine methamphetamine laboratory (CML) is known by the seller of such property to have been operated shall be sold or otherwise conveyed until the property has been properly decontaminated and cleaned by a certified CML cleanup contractor and certified that such property is safe for human use by a certified industrial hygienist pursuant to title 68, chapter 212, part 5.

(b) The provisions of this section shall also apply to all outbuildings appurtenant to such residential property and included in the sale thereof.

(c) The seller of such property shall also be required to provide any prospective buyers with notice that a CML has been operated at the residence and certification of the required cleanup.

(d) A violation of this section is a Class A misdemeanor.

SECTION 2. Tennessee Code Annotated, Title 66, Chapter 7, Part 1, is amended by adding the following language as a new section:

§ 66-7-111.

(a) Notwithstanding any other law to the contrary, no rental property where a clandestine methamphetamine laboratory (CML) is known by the landlord of such property to have been operated shall be rented or otherwise leased until the property has been properly decontaminated and cleaned by a certified CML cleanup contractor and certified that such property is safe for human use by a certified industrial hygienist pursuant to title 68, chapter 212, part 5.

(b) The provisions of this section shall also apply to all outbuildings appurtenant to such rental property and included in the lease thereof.

(c) The landlord of such property shall also be required to provide any prospective buyers with notice that a CML has been operated at the residence and certification of the required cleanup.

(d) A violation of this section is a Class A misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 68-212-508, is amended by adding the following language as a new subsection after subsection (b) and renumbering the subsequent subsections accordingly:

(c) The certificate shall be provided by the owner of the property to any prospective buyer in accordance with § 66-5-213 and by the landlord of the property to any prospective tenant in accordance with § 66-7-111.

SECTION 4. This act shall take effect July 1, 2009, the public welfare requiring it.