

SENATE BILL 2598

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 59,
Chapter 8, Part 4, relative to surface coal mining.

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

SECTION 1. This act shall be known and may be cited as the "Taxpayer Protection Act".

SECTION 2. Tennessee Code Annotated, Section 59-8-417, is amended in subsection (a) by adding the following language as a new subdivision:

(8) Is responsible for the failure of a retention pond, land slide or other similar event on property when the state owns surface rights to such property and either the bond has not been released pursuant to § 59-8-414 or has been released within the previous five (5) years.

SECTION 3. Tennessee Code Annotated, Section 59-8-417, is further amended by adding the following language as new subsection (c) and by redesignating the present language accordingly:

(c) In any suit for damages under subdivision (a)(8), the state shall be entitled to recover the reasonable cost undertaken to cleanup and repair such property.

SECTION 4. This act shall take effect July 1, 2010, the public welfare requiring it.