

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 295

House Bill No. 362*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 5, is amended by adding the following as a new section:

(a)

(1) The commissioner of environment and conservation shall not issue a national pollutant discharge elimination system (NPDES) permit to a municipal separate storm sewer system operated by a local governmental entity unless the financial impact of the post construction stormwater requirements on such local governmental entity and persons required to comply with the post construction stormwater requirements of such NPDES permit has first been reviewed by the general assembly in the same manner as rules are reviewed under § 4-5-226.

(2) In reviewing the NPDES permit and its financial impact as prescribed in subdivision (a)(1) the government operations committees of the senate and the house of representatives shall make recommendations, as necessary, to ensure that the requirements for permanent stormwater measures do not exceed the minimum requirements required by federal law with consideration of the cost-benefit of such measures.

(b)

(1) The commissioner of environment and conservation shall submit an annual report to the chairs of the government operations committees of the senate and the house of representatives describing the financial impact of the



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post construction stormwater requirements on such local governmental entity and persons required to comply with the such requirements of each such NPDES permit to be issued under subdivision (a)(1) by the department of environment and conservation.

(2) The report prescribed in subdivision (b)(1) shall include the actual or anticipated cost for the installation of stormwater control measures and the qualitative cost of loss of use of available land that must be dedicated to stormwater control measures and buffer areas.

(3) The first report shall be filed by July 15, 2017, and include the financial impact of every NPDES permit issued during fiscal year 2016-2017. All subsequent reports must be filed by July 15 of every year and shall describe the financial impact of each NPDES permit issued during the previous fiscal year.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.