



State of Tennessee
PUBLIC CHAPTER NO. 430

HOUSE BILL NO. 166

By Representative Sargent

Substituted for: Senate Bill No. 247

By Senator Johnson

AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 4, relative to regulation of certain utilities by the Tennessee regulatory authority.

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

SECTION 1. Tennessee Code Annotated, Section 65-4-101, is amended by adding the following language as a new subdivision (9):

(9) "Public utility" does not mean any nonprofit corporation, as defined in 501(c)(4) of the Internal Revenue Code, which owns and operates a wastewater system primarily for the use of the members of the corporation and which has received a written statement of exemption from regulation as a public utility from the Tennessee regulatory authority prior to January 1, 2009.

SECTION 2. Tennessee Code Annotated, Section 65-4-101(6)(E), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(E) Any cooperative organization not organized or doing business for profit, cooperative association not organized or doing business for profit, or cooperative corporation not organized or doing business for profit. For purposes of this subdivision (6)(E), "cooperative" shall mean only those nonprofit cooperative entities organized under or otherwise subject to § 65-25-201 et seq. ("Rural Electric and Community Services Cooperative Act") or § 65-29-101 et. seq. ("Telephone Cooperative Act").

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

HOUSE BILL NO. 166

PASSED: May 21, 2011



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 6 day of June 2011



BILL HASLAM, GOVERNOR