House Agriculture and Natural Resources Subcommittee Am. #1

Amendment No._____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

_____

Signature of Sponsor

AMEND Senate Bill No. 178 House Bill No. 165*

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

SECTION 1. Tennessee Code Annotated, Section 68-221-409, is amended by adding the following as new subsections:

(c)

(1) The commissioner shall not deny a permit for a subsurface sewage disposal system solely because a public sewer system is accessible if:

(A) The department or a local government has placed a moratorium on additional connections to the public sewer system; and

(B) The applicant submits documentation with the application for a permit that the applicant cannot connect, or has been delayed from connecting, to the public sewer system because of the moratorium.

(2) For purposes of subdivision (c)(1)(B), a person has been delayed from connecting to a public sewer system because of a moratorium if the person has been placed on a waiting list by the public sewer system due to a moratorium.

(d) In any transfer by sale, exchange, installment land sales contract, or lease with option to buy residential real property consisting of not less than one (1) nor more than four (4) dwelling units, including site-built and nonsite-built homes, for which a permit was issued under this part and a subsurface sewage

disposal system installed, whether or not the transaction is consummated with the assistance of a licensed real estate broker or affiliate broker, the potential future obligation to connect to the public sewer system must be disclosed by the seller to the purchaser. The remedies for a failure to disclose are the same as those provided under title 66, chapter 5, part 2.

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