

HOUSE BILL 684
By Sands

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 52; Title 7, Chapter 59 and Title 65, Chapter 25, relative to communications.

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

SECTION 1. Tennessee Code Annotated, Section 7-52-406, is amended by deleting subsection (b) and by substituting instead the following:

(b) Nothing in this part or any private act, charter, metropolitan charter, or amendments thereto, shall allow a municipality, county, metropolitan government, department, board or other entity of local government to provide any service for which a license, certification or registration is required under title 62, chapter 32, part 3, or to provide pager services.

SECTION 2. Notwithstanding any provision of law to the contrary, every municipality operating an electric plant, described in Section 7-52-401, is authorized and empowered, on behalf of its municipality acting through the authorization of the board or supervisory body having responsibility for the municipal electric plant, to acquire, construct, own, improve, operate, lease, maintain, sell, mortgage, pledge or otherwise dispose of any system, plant, or equipment for the provision of cable service, two-way video transmission, video programming, Internet access, Internet service, or any other like system, plant, or equipment within and/or without the corporate or county limits of such municipality, and, with the consent of such other municipality, within the corporate or county limits of any other municipality. A municipality shall only be authorized to provide cable service, two-way video transmission, video programming,

Internet access, Internet service or other like system through its board or supervisory body having responsibility for the municipality's electric plant. A municipality providing any of the services authorized by this section may not dispose of all or substantially all of the system, plant, and equipment used to provide such services except upon compliance with the procedures set forth in Section 7-52-132.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect July 1, 1999, the public welfare requiring it.