

**Amendment No. 1 to HB2603**

**Johnson R  
Signature of Sponsor**

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

**AMEND Senate Bill No. 3667**

**House Bill No. 2603\***

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

SECTION 1. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following language as a new, appropriately designated subdivision:

( )

(A) Knowingly advertising or marketing for sale a residence as having more bedrooms than are permitted by the certificate of occupancy or the building permit issued with respect to the subsurface sewage disposal system, as defined in §68-221-402, of the residence unless prior to the execution of any sales agreement the permitted number of bedrooms is disclosed in writing to the buyer.

(B) If a residence is marketed for sale as having more bedrooms than are permitted by the certificate of occupancy or the building permit issued with respect to the subsurface sewage disposal system and no disclosure of the actual number of bedrooms permitted occurs prior to the execution of a sales agreement, then the buyer shall have the right to rescind the sales agreement and may recover treble damages as provided in § 47-18-109.

(C) A subsurface sewage disposal system permit, a building permit or occupancy permit issued in the name of the owner of the residence shall serve as constructive notice to that owner of the residence and that owner's real estate agent for the purpose of establishing knowledge as to the number of bedrooms of the residence for the purpose of finding a violation of this subdivision.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring  
it.