

SENATE BILL 3828

By Kilby

AN ACT to amend Tennessee Code Annotated, Title 59
and Title 69, relative to mining.

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

SECTION 1. Tennessee Code Annotated, Section 59-8-202(3), is amended by deleting the language "board of reclamation review as created by the Tennessee Coal Surface Mining Law of 1980, compiled in part 3 of this chapter" and by substituting instead the language "Tennessee water quality control board established by § 69-3-104".

SECTION 2. Tennessee Code Annotated, Section 59-8-202(5), is amended by deleting the language "division of surface mining and reclamation" and by substituting instead the language "division of water pollution control".

SECTION 3. Tennessee Code Annotated, Section 59-8-202(7)(A), is amended by deleting the language "but does not include limestone, coal, marble, chert or dimension stone" and by substituting instead the language "but does not include coal".

SECTION 4. Tennessee Code Annotated, Section 59-8-202(7)(B), is amended by deleting the language "but does not include limestone, coal, marble, chert, gravel, sand or dimension stone" and by substituting instead the language "but does not include coal, gravel, or sand".

SECTION 5. Tennessee Code Annotated, Section 59-8-208(a), is amended by adding the following language as a new, appropriately designated subdivision:

() Restoration of any recreational trail which existed in the affected area prior to the operation, so that the trail has at least the same quality and is appropriate for the same use as before such operation;

SECTION 6. Tennessee Code Annotated, Title 59, Chapter 8, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 59-8-2__.

The commissioner shall promulgate rules to establish notification procedures to be followed by an operator whose operations occur in an area used by persons for outdoor recreational activities including hiking, mountain biking, and hunting to ensure the safety of such persons. Such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.