

HOUSE BILL 1205

By McCord

AN ACT to amend Tennessee Code Annotated, Title 69,
Chapter 3, Part 1, relative to the jurisdiction of
waters of the state and hydrologic determinations.

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

SECTION 1. Tennessee Code Annotated Section, 69-3-110, is amended by adding new, appropriately designated subsections as follows:

() The board shall render a final decision and order for any hearing brought pursuant to § 69-3-105(i) within ninety (90) days from the receipt of such petition unless the applicant or permittee expressly waives such time.

() In the event that the board determines that an appeal pursuant to § 69-3-105 (i) is frivolous, it may award the applicant its fees and expenses incurred as a result of the appeal, including attorneys fees.

() If a final decision and order is not rendered by the board in a proceeding brought pursuant to § 4-5-223 within ninety (90) days of the filing of the petition, such petition shall be deemed a refusal to hear the petition, unless waived by the petitioner.

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