

Amendment No. 1 to HB0256

**Marsh
Signature of Sponsor**

AMEND Senate Bill No. 418

House Bill No. 256*

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

SECTION 1. Tennessee Code Annotated, Section 7-82-202(a)(2), is amended by deleting the subdivision and substituting instead the following:

(2) The creation of the district is economically sound and desirable, the county mayor shall enter an order so finding, approving the creation of the district, designating it as “the _____ Utility District of _____ County, Tennessee,” defining its territorial limits, stating the service or services that the district shall be authorized to furnish, and appointing as commissioners of the district those persons nominated in the petition, of whom one (1) shall be appointed for a term of two (2) years, one (1) for a term of three (3) years, and one (1) for a term of four (4) years. Such order shall be subject to approval by a simple majority vote of the county legislative body of each county in which the district is created before it is filed with the county clerk and entered on record.

SECTION 2. Tennessee Code Annotated, Section 7-82-202(g), is amended by deleting the subsection and substituting instead the following:

(g) Petitions for a merger or consolidation of utility districts or for a consolidation of a utility district with a municipality or county under subsections (e) and (f) shall be filed with the utility management review board simultaneously with the filing of the petition with the county mayor or mayors under subsections (e) and (f). Such petitions are not subject to approval or disapproval by the utility management review board as set forth in

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§ 7-82-201(a) and subsection (a) and are not subject to approval by the county legislative body or bodies as set forth in § 7-82-202(a)(2).

SECTION 3. Tennessee Code Annotated, Section 7-82-202, is further amended by adding the following language as a new subsection:

(h) Petitions for re-creation of a utility district for the purpose of redefining its incorporated boundary shall be filed with the utility management review board simultaneously with the filing of the petition with the county mayor or mayors. Such petitions are not subject to approval or disapproval by the utility management review board as set forth in § 7-82-201(a) and subsection (a) and are not subject to approval by the county legislative body or bodies as set forth in § 7-82-202(a)(2).

SECTION 4. This act shall take effect July 1, 2015, the public welfare requiring it.