

Amendment No. 2 to HB0978

Sargent
Signature of Sponsor

AMEND Senate Bill No. 822*

House Bill No. 978

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

SECTION 1. Tennessee Code Annotated, Title 43, Chapter 28, Part 3, is amended by adding the following as a new, appropriately designated section:

(a) This section shall be known and may be cited as the "Tennessee Homestead Timber and Lumber Act".

(b) As used in this section:

(1) "Homestead lumber" means any lumber sawn entirely from homestead timber and used exclusively on the owner's property; and

(2) "Homestead timber" means any species of hardwood or softwood trees growing within the borders of this state and within the borders of a person's own property.

(c) Any person who uses homestead timber or homestead lumber may choose to be exempt from state or local building codes requiring timber or lumber to meet or exceed American Softwood Standard PS-20-70. All homestead timber and homestead lumber shall be branded with the owner's registered brand as provided in this part.

(d) If the branded homestead timber is sawn into lumber by a commercial sawmill, the sawmill owner or authorized representative shall provide documentation to the property owner certifying that the homestead lumber was produced exclusively from logs of the homestead timber delivered to the mill.

(e) If branded homestead lumber is dried, re-sawn, resurfaced, or otherwise remanufactured at a facility other than the sawmill, the mill's owner or authorized

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representative shall provide documentation to the property owner certifying that the products were produced exclusively from homestead lumber delivered to the mill.

(f) The documentation required pursuant to subsections (d) and (e) shall include:

(1) The quantity, by species of homestead timber or homestead lumber, received and the quantity of homestead lumber or lumber product produced;

(2) The property owner's address where the homestead timber or homestead lumber is to be used;

(3) The name and address of the commercial sawmill or other milling facility where the homestead timber was sawn, or where the homestead lumber or lumber product was produced;

(4) The date the homestead timber or homestead lumber was received and cut at the commercial sawmill, or the date the lumber or lumber product was produced;

(5) The signature of the commercial sawmill or milling facility owner or such owner's authorized representative; and

(6) The signature of the property owner and the date the homestead timber, homestead lumber, or lumber product was received by the property owner.

(g) The owner shall provide potential buyers or their agents a written description of the construction of structures built from homestead timber or lumber.

(h) The responsibility for the structural integrity of the homestead timber, homestead lumber, or lumber product used on the owner's property shall lie solely with the property owner.

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