

Senate State and Local Government Committee 1

Amendment No. 1 to SB0875

**Yager
Signature of Sponsor**

AMEND Senate Bill No. 875*

House Bill No. 936

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

SECTION 1. Tennessee Code Annotated, Section 57-4-102(26)(QQ), is amended by designating the existing language as subdivision (26)(QQ)(i) and adding the following language:

(ii) The rights of any facility licensed under this subdivision (26)(QQ) as to activities permitted under this chapter may be held by the entity that owns the facility, the entity that leases the facility, or an entity operating a restaurant pursuant to a written contract with the entity that owns or leases the facility;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(29), is amended by adding the following language as a new subdivision:

(L) "Restaurant" also means a facility that:

(i) Is located in any county having a metropolitan form of government with a population of more than five hundred thousand (500,000) according to the 2010 federal census or any subsequent federal census;

(ii) Regularly serves meals;

(iii) Contains an adequate and sanitary kitchen;

(iv) Has seating for not less than forty (40) people at tables;

(v) Is located on floatation devices on the Cumberland river in close proximity to a marina; and

(vi) May be seasonally closed.

SECTION 3. Tennessee Code Annotated, Section 57-4-102(26), is amended by deleting subdivision (QQQ).

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SECTION 4. Tennessee Code Annotated, Section 57-4-102(26), is further amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated recreational facility possessing each of the following characteristics:

(i) Is located:

(a) On at least two thousand five hundred (2,500) acres, approximately eight (8) miles from an interstate highway; and

(b) Along a waterway that flows into a river, a portion of which has been designated as a scenic river;

(ii) Has at least twelve (12) cabins and at least three hundred fifty (350) campsites;

(iii) Has a motor cross trail or trails and a horseback riding trail or trails;

(iv) Has a restaurant with seating for at least one hundred (100);

(v) Has a one thousand six hundred square foot (1,600 sq. ft.) stage at an amphitheater that seats approximately two thousand five hundred (2,500); and

(vi) Has least five (5) hotels or motels located near the facility.

SECTION 5. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following new subdivision:

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It is lawful for any establishment located in a municipality having a population of not less than four hundred ninety (490) nor more than four hundred

ninety-nine (499) according to the 2010 federal census or any subsequent federal census, which is located in a county having a population of not less than thirty-two thousand two hundred (32,200) nor more than thirty-two thousand three hundred (32,300) according to the 2010 federal census or any subsequent federal census, that is licensed to serve beer to also serve alcoholic beverages and wine to be consumed on the premises, subject to the further provisions of this chapter other than § 57-4-103.

SECTION 6. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

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