

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1941 - SB 2591

February 7, 2016

SUMMARY OF BILL: Removes standard regarding nuisance actions on new types of farming operations, effectively requiring the same burden of proof in nuisance actions brought against established farming operations.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumption:

- Pursuant to Tenn. Code. Ann. § 43-26-103, a farming operation on land subject to an action of nuisance is entitled to the presumption that an operation is not a public nuisance, if such new type of a farming operation existed for at least one year before the action is initiated.
- Deleting the separate standard applied to new farming operations is estimated to not result in a significant impact on the number of cases in the court system.
- The proposed changes are not anticipated to result in a significant change to the total number of licenses issued or renewed by the Department of Agriculture, including licenses for producers of industrial hemp; nor is it anticipated to result in a substantial expansion of any current farm operations. As a result, any impact on state or local tax revenue will be not significant.
- Any impact on state or local government resulting from this bill is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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