

**Amendment No. 1 to SB1371**

**Southerland  
Signature of Sponsor**

**AMEND Senate Bill No. 1371**

**House Bill No. 1405**

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

SECTION 1. Tennessee Code Annotated, Section 68-201-115(b)(3), is amended by deleting the subdivision in its entirety and substituting instead the following:

(3) The certificate of exemption may be granted if the board determines that:

(A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;

(B) The enactments referenced in subdivision (b)(3)(A):

(i) Are being, or will be, adequately enforced;

(ii) Further the preservation, protection, and enhancement of air quality in the municipality or county;

(iii) Will not result in a negative adverse impact to the economic growth of the municipality or county, or result in economic disruption or unemployment; and

(iv) Are consistent with, and in the interest of, the orderly administration of the municipality's or county's air pollution program; and

(C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;

SECTION 2. Tennessee Code Annotated, Section 68-201-115, is amended by adding the following new subsections:

(f) No municipality or county shall include land use or zoning requirements in its air pollution control regulations or the municipality's or county's certificate of exemption granting the municipality or county the authority to enact the regulations.

**Senate Energy, Agriculture and Natural Resources Committee 1**

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(g) No municipality or county shall request that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency pursuant to 42 U.S.C. § 7410.

SECTION 3. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, 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 are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.