

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 165 – SB 178

February 11, 2019

SUMMARY OF BILL: Requires the Commissioner of the Department of Environment and Conservation (TDEC) to grant permits for subsurface sewage disposal systems in areas where a moratorium has been placed for connecting to a public sewer system.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 68-221-403(a)(6), it is currently the duty of the Commissioner of TDEC to issue permits for the installation of subsurface sewage disposal systems.
- While the proposed legislation does speak of a specific instance for which these permits shall be issued, per the last part of the first sentence in the proposed legislation, it still states that the issuance of said permits are “subject to the requirements in this part” in reference to Part 4 of Chapter 221 of Title 68, meaning that all the current requirements for issuance must still be met.
- According to the proposed legislation, “The permit holder shall discontinue service to the subsurface sewage disposal system and connect to the public sewer system within 90 days of the moratorium being lifted.” It is assumed that any cost to disconnect from the subsurface sewage disposal system and connect with the public sewer system would be borne by the permit holder and not the state or its agencies.
- Because the proposed legislation maintains that these issued permits would still be subject to the requirements in the part in which they are written, and because the permit holder is assumed to bear the cost of disconnecting and connecting to the public sewage systems, it is estimated that the state would not see any significant increase or decrease in revenue or expenditures.
- Any impacts on local governments as a result of this legislation is considered not significant because the process of connecting to locally-operated sewer systems would be the same under the provisions of this legislation as they would be under current law.

CERTIFICATION:

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

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

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