

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2813 - SB 2668

February 28, 2020

SUMMARY OF BILL: Prohibits certain local governments from exercising power over landowner riparian water rights.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – To the extent an applicable locality currently regulates riparian water rights through licensing fees, removal of such regulation will result in an unknown, recurring decrease in local revenue.

Assumptions:

- The proposed legislation is only applicable to home rule municipalities and counties with a charter form of government.
- Riparian water rights are rights granted to landowners to utilize water flowing by or through the landowner's property.
- Pursuant to Tenn. Code Ann. § 69-10-112, the 14 home rule municipalities, Shelby and Knox County are authorized to enact requirements governing a well which are no less stringent than requirements imposed by the Department of Environment and Conservation.
- The proposed language would prohibit home rule municipalities, Shelby and Knox County from exercising authority over riparian water rights.
- The extent of regulation currently in place in such localities, if such regulation includes licensing fees, the extent of fees assessed, and the extent of landowners exercising riparian water rights are unknown. Due to multiple unknown factors, a precise recurring decrease in local government revenue cannot reasonably be determined.

CERTIFICATION:

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

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

/jrh