

HOUSE BILL 877

By McDaniel

AN ACT to amend Tennessee Code Annotated, Title 67
and Title 68, relative to tires.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-4-1610, is amended by designating the existing language as subsection (a) and by adding the following new subsection (b):

(b) Notwithstanding chapter 994 of the Public Acts of 2000, or any other provision of law to the contrary, the remaining amount of the fee levied by § 67-4-1603 that is not retained by the dealer pursuant to subsection (a) shall be allocated as follows:

(1) If a county does not have an effective tire grant contract with the department of environment and conservation pursuant to the tire grant program administered under § 68-211-867, one dollar (\$1.00) per tire sold in that county shall be sent directly by the commissioner of revenue to such county to be used for waste tire disposal. The remaining balance of the fee shall be allocated to the solid waste management fund established by § 68-211-821; or

(2) If a county has an effective tire grant contract with the department of environment and conservation pursuant to the tire grant program administered under § 68-211-867, or had such a tire grant contract that was in effect at the time the fee was imposed, the remainder of the fee per tire sold in that county shall be allocated to the solid waste management fund established by § 68-211-821. The department of environment and conservation shall return a minimum of one dollar (\$1.00) per tire sold in such counties to the county under its grant contract. If the grant contract either does not allow the department of

environment and conservation to return a minimum of one dollar (\$1.00) per tire sold in a county to such county, or would require repayment of any such funds, the department of environment and conservation shall return a minimum of one dollar (\$1.00) per tire sold in such county to the county through additional grants, unrelated to the tire grant contract, for waste tire disposal without the requirement that the county submit any additional workplan and budget or any other similar requirements. Any such additional grants shall be based on one dollar (\$1.00) per tire sold in the county minus any amounts returned under the tire grant contract.

SECTION 2. It is the purpose of this act to require that a minimum of one dollar (\$1.00) of the one dollar and thirty-five cents (\$1.35) per tire pre-disposal fee be returned to the county in which the fee was imposed regardless of whether the county has an effective tire grant contract with the department of environment and conservation.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any pre-disposal fee received by the commissioner of revenue or the department of environment and conservation after such effective date regardless of when the fee was imposed.