

**PUBLIC CHAPTER NO. 559**

**SENATE BILL NO. 353**

**By Tracy, Raymond Finney**

**Substituted for: House Bill No. 657**

**By Curtiss, Tidwell, Hawk**

AN ACT to amend Tennessee Code Annotated, Title 68 and Title 69, relative to air and water quality.

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

SECTION 1. Tennessee Code Annotated, Section 68-201-115(c), is amended by changing the period after the words "wood waste" at the end of the subsection to a semi-colon and adding the following language:

provided, however, open burning of wood waste within two hundred feet (200') of an occupied building by any person other than an occupant of such building shall only be conducted as follows:

- (1) At least one (1) person shall be constantly present at the burning during the entire time of the burn;
- (2) Each burn shall not exceed forty-eight (48) hours in duration;
- (3) Burning shall not occur more than twice in any thirty (30) day period; and
- (4) If such burning occurs within one hundred feet (100') of an occupied building, it may only occur if an adult occupant of such building gives written authorization for such burn to occur and has not rescinded such authorization in writing.

Provided further, however, if a local government has enacted or enacts more stringent requirements concerning such open burning of wood waste, such provisions shall control over the requirements of this subsection.

SECTION 2. This act shall take effect January 1, 2008, the public welfare requiring it.

**PASSED: June 12, 2007**



RON RAMSEY  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of June 2007



PHIL BREDESEN, GOVERNOR