



SENATE BILL 1793

By Reeves

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7 and Title 68, Chapter 211,
relative to recycling.

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

SECTION 1. Tennessee Code Annotated, Section 68-211-865, is amended by adding the following as a new subsection:

() The department of general services and the department of environment and conservation shall each prepare an annual report on the actions taken under this section and submit their findings to the general assembly no later than December 31 of each year.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to SB1793

Reeves
Signature of Sponsor

AMEND Senate Bill No. 1793*

House Bill No. 2518

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 68-211-826, is amended by deleting the section in its entirety and substituting instead the following:

68-211-826. Office of cooperative marketing for recyclables — Duties.

(a) From funds available from the solid waste management fund established by § 68-211-821, the department shall establish an office of cooperative marketing for recyclables.

(b) The duties of the office of cooperative marketing for recyclables include:

(1) Preparing and maintaining a directory of regional buyers, which may include current information on product specifications, markets, and price ranges;

(2) Preparing and maintaining a directory of public and private, for-profit and nonprofit recycling programs;

(3) Collecting voluntary information on the quantity and quality of materials offered for sale by recycling programs;

(4) Creating a database for and operating an interactive information clearinghouse and marketing service, which may include market range pricing information;

(5) Maintaining an inventory of available quantities, qualities, and locations of recyclable materials in this state;

(6) Actively marketing sites identified for purposes of subdivision (b)(5) to industries that can utilize available materials in order to drive economic development in the recyclables marketplace;

(7) Supporting voluntary regionalization efforts among counties, municipalities, solid waste planning regions, and other entities in the development and implementation of recycling programs and recyclable materials market development;

(8) Identifying areas of collaboration with relevant state agencies, including the department of economic and community development, to support economic development in the recycling industry; and

(9) Coordinating with the recycling market development and diversion advisory council, established by § 68-211-827, on the development and marketing strategy of the statewide recyclables marketplace.

(c) This section does not expand or modify the department's regulatory, tax, or fee authority.

(d) All proprietary, confidential, or competitively sensitive information submitted by a private entity pursuant to this section shall be treated as confidential business information and is not subject to disclosure under the Tennessee Public Records Act, compiled in title 10, chapter 7.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 211, Part 8, is amended by adding the following new section:

68-211-827. Recycling Market Development and Diversion Advisory Council.

(a) There is created the recycling market development and diversion advisory council, referred to as the "council" in this section, which is attached to the department for administrative purposes only.

(b) The council is advisory in nature and shall not exercise regulatory, fee, taxing, or rulemaking authority.

(c) The council shall advise the department, the governor, and the general assembly on matters related to the development and enhancement of markets for recyclable materials in this state.

(d) The duties of the council include, but are not limited to:

(1) Studying and assessing the current state of the recycling marketplace in this state, including executive branch functions and private industry needs and capabilities;

(2) Assisting the office of cooperative marketing for recyclables, created by § 68-211-826, in enhancing and expanding markets for recyclable materials in this state;

(3) Advising the department on recycling best practices, including innovative technology implementation, facility designs, and implementation by counties and municipalities;

(4) Identifying and formulating strategies to recruit, retain, or expand businesses and industries across the recycling value chain within this state;

(5) Identifying opportunities to strengthen regionalization efforts among solid waste planning regions or other entities for the purpose of improving recycling access, increasing volumes of marketable recyclable materials, and supporting the development of recycling markets within the state;

(6) Researching market needs, opportunities to scale recycling activities, best practices from other states, and industry demand within this state and the southeastern United States;

(7) Advise on the development of standardized educational materials for state and local officials to implement in public awareness efforts;

(8) Developing and submitting recommendations for future actions by the executive or legislative branches of state government; and

(9) Studying any other issues as directed by the advisory task force on solid waste, established by § 68-211-126, and regularly reporting to the task force, as directed by the co-chairs of the task force.

(e) The council shall consist of the following voting members:

(1) Five (5) representatives of private industry, appointed by the governor, who shall represent industries that may include plastics, glass, paper, aluminum, scrap metal, advanced recycling, other recyclable materials sectors, producers of consumer goods, or retailers of consumer goods;

(2) Two (2) representatives of recycling-focused trade associations, appointed by the governor;

(3) One (1) representative of a private recycling operator, appointed by the governor;

(4) One (1) representative of the Tennessee Chamber of Commerce & Industry, appointed by the governor;

(5) One (1) representative from a conservation organization, appointed by the governor;

(6) One (1) municipal solid waste director, appointed by the governor;

(7) One (1) county solid waste director, appointed by the governor;

(8) One (1) member of the advisory task force on solid waste, established by § 68-211-126, jointly appointed by the chair of the energy, agriculture and natural resources committee of the senate and the chair of the committee of the house of representatives with jurisdiction over subject matters pertaining to solid waste disposal;

(9) The commissioner of environment and conservation, or the commissioner's designee;

(10) The commissioner of economic and community development, or the commissioner's designee;

(11) One (1) member of the house of representatives, appointed by the speaker of the house of representatives; and

(12) One (1) member of the senate, appointed by the speaker of the senate.

(f)

(1) Except as provided in subdivision (f)(2), members of the council who are appointed by the governor shall serve terms of four (4) years. The council member who serves under subdivision (e)(8) shall serve a term of four (4) years. The council members who serve under subdivisions (e)(9)-(12) shall serve while holding their respective offices. A vacancy on the council shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

(2) Of the members initially appointed by the governor:

(A) Three (3) members shall be appointed for initial terms of one (1) year;

(B) Three (3) members shall be appointed for initial terms of two (2) years;

(C) Three (3) members shall be appointed for initial terms of three (3) years; and

(D) Three (3) members shall be appointed for initial terms of four (4) years.

(3) All subsequent gubernatorial appointments shall be for terms of four (4) years.

(4) Terms begin on July 1 and end on June 30. Members of the council shall continue to serve on the council after the expiration of the members' terms until a new member is appointed.

(g) Members of the council shall serve without compensation but shall be reimbursed for necessary travel and other expenses incurred in the performance of their duties in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(h) The governor shall appoint the initial chair of the council. The initial chair shall call the first meeting of the council. Thereafter, the council shall elect a chair from among its members every two (2) years.

(i) The council shall meet at least quarterly and may meet additionally upon the call of the chair or upon written request of a majority of members.

(j) The council may establish an executive committee or other committees as necessary to carry out its duties.

(k) The department of environment and conservation shall provide administrative support and staffing to the council using existing resources.

(l) The council shall submit an initial report to the governor, the chair of the senate energy, agriculture and natural resources committee, and the chair of the committee of the house of representatives having subject jurisdiction over solid waste disposal no later than December 31, 2026. Thereafter, the council shall submit annual reports by December 31 of each year.

(m) The general assembly may request additional reports from the council on specific matters related to recycling market development.

(n) This section does not regulate solid waste disposal, expand the department's regulatory authority, or authorize the department to impose new reporting requirements, recycling mandates, procurement mandates, disposal restrictions, fees or other regulatory obligations absent separate legislative authorization.

(o) The council is terminated on June 30, 2030, unless continued by an act of the general assembly.

SECTION 3. For the purpose of making appointments, this act takes effect upon becoming a law. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.