

CHAPTER NO. 422

HOUSE BILL NO. 632

By Representatives Newton, Ulysses Jones, Litz

Substituted for: Senate Bill No. 599

By Senator Cohen

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to consumption of alcoholic beverages in a premier type tourist resort.

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

SECTION 1. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following new subdivision:

() A commercially operated recreational facility located adjacent to a navigable river which contains all of the following characteristics:

(i) Such facility contains at least one hundred (100) boating slips available for lease, rental, or use by guests;

(ii) Such facility has located upon its premises one (1) or more restaurant facilities with a combined seating capacity of at least two hundred (200);

(iii) Such facility has located upon its premises a lodge with at least fifteen (15) units available for transient lodging;" and

(iv) Such facility does not discriminate against any patron on the basis of age, gender, race, religion or national origin.

SECTION 2. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated facility which contains all of the following characteristics:

(i) Such facility is located no more than six (6) miles from Interstate 40 at exit 427 and on both sides of a county highway known as Harrison Ferry Road. Such facility contains a minimum of one hundred forty-three (143) acres and includes a minimum of twenty-two (22) acres of land zoned commercial for future development at the corner of Back Nine Drive and Mountain View Lane;

(ii) Such facility has an eighteen (18) hole golf course, two (2) practice putting greens, a practice chipping green and a practice area for golf instruction. Such facility also contains a large swimming pool, boat ramp into Douglas Lake, and two (2) tennis courts;

(iii) Such facility has a clubhouse with a fully-equipped pro shop, a full-service restaurant seating at least one hundred fifty (150) persons inside with an outside patio that seats at least seventy (70) persons;

(iv) Such facility provides accommodations consisting of at least twelve (12) hotel/motel units and at least nine (9) villa units; and

(v) Such facility is located within an incorporated municipality having a population of less than five hundred (500) according to the 2000 federal census or any subsequent federal census within a county having a population of not less than forty-four thousand two hundred (44,200) nor more than forty-four thousand three hundred (44,300) according to the 2000 federal census or any subsequent federal census; and

(vi) Such facility does not discriminate against any patron on the basis of age, gender, race, religion or national origin.

SECTION 3. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following new subdivision to be appropriately designated:

() An inn having all of the following characteristics:

(i) Such inn contains at least twelve (12) transient guest rooms in the main house;

(ii) Such inn has a separate meeting lodge and facility which also houses at least four (4) new French country transient suites;

(iii) Such inn has at least two (2) kitchens on the premises and offers at least two (2) meals daily;

(iv) Such inn has an open-air, outdoor, sylvan chapel suitable for the accommodation of wedding ceremonies;

(v) Such inn provides entertainment in the form of cooking demonstrations, storytelling and dulcimer playing;

(vi) Such inn is listed as one of the distinguished inns of North America in The Select Registry, 16th Edition, Guidebook; and

(vii) Such inn does not discriminate against any patron on the basis of age, gender, race, religion or national origin.

SECTION 4. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following new subdivision to be appropriately designated:

() A commercially operated facility having all of the following characteristics:

(i) Such inn is a full service colonial mansion located on an eighty-one acre estate;

(ii) Such inn contains no fewer than eight (8) transient rooms and seventeen (17) bathrooms;

(iii) Such inn contains a dining room with a capacity of fifty (50) persons and serving at least two (2) meals daily;

(iv) Such inn has a heated swimming pool, a fitness center, a sauna, a tennis court and a billiard room;

(v) Such inn has a system of hiking and walking trails;

(vi) Such inn is listed as one of the distinguished inns of North America in The Select Registry, 16th Edition, Guidebook; and

(vii) Such inn does not discriminate against any patron on the basis of age, gender, race, religion or national origin.

SECTION 5. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following new subdivisions to be appropriately designated:

() A facility which has nine (9) acres of shoreline development on Watts Bar Lake and which contains all the following characteristics. Such facility:

(i) Has one (1) to three (3) bedroom cottages;

(ii) Has a two hundred fifty (250) slip, both dry and wet, marina;

(iii) Has a restaurant and lounge;

(iv) Has a swimming pool;

(v) Has rental boats;

(vi) Does not discriminate against any patron on the basis of age, gender, race, religion or national origin; and

(vii) Is located in a county having a population of not less than twenty-eight thousand three hundred fifty (28,350) nor more than twenty-eight thousand four hundred fifty (28,450), according to the 2000 federal census or any subsequent federal census.

() A development which has all the following characteristics: Such development:

(i) Has a well established marina with boat rentals, gasoline, guide services, etc. and a resort operating for more than fifty (50) years;

(ii) Includes more than two hundred (200) acres on Watts Bar Lake;

(iii) Has forty (40) cottages rented on a daily or weekly basis;

(iv) Has a restaurant;

(v) Has walking and nature trails;

(vi) Does not discriminate against any patron on the basis of age, gender, race, religion or national origin; and

(vii) Is located in a county having a population of not less than twenty-eight thousand three hundred fifty (28,350) nor more than twenty-eight thousand four hundred fifty (28,450), according to the 2000 federal census or any subsequent federal census.

SECTION 6. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() Any facility located in a municipality which has a civil war battlefield:

(i) Of which more than fourteen hundred (1400) acres has been designated in the National Register of Historic Places;

(ii) For which a management contract has been entered into between the municipality and the Tennessee Historical Commission;

(iii) Has a self-guided driving tour;

(iv) For which long-range plans include walking trails, interpretive signs and a visitor's center with a museum;

(v) At which every two (2) years a living history and reenactment of the battle fought in December of 1862 is presented;

(vi) Which is famous for the southern general's order to his troops to "Charge them both ways"; and

(vii) Is located in a county having a population of not less than twenty-five thousand four hundred fifty (25,450) nor more than twenty-five thousand five hundred fifty (25,550), according to the 2000 federal census or any subsequent federal census.

SECTION 7. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated hotel and conference center and surrounding lands, whether public or private, not to exceed one-half (1/2) mile radius of the geographic center of such complex, and possession all of the following characteristics.

(i) The hotel and conference center are operated by a for-profit corporation, partnership, or limited liability company;

(ii) The facility provides lodging accommodations consisting of not less than fifty (50) hotel or motel rooms in a building or buildings designed for such purpose;

(iii) The facility is able to accommodate conferences of not fewer than two hundred (200) persons;

(iv) The hotel and conference facility is situated entirely within the boundaries of an industrial park controlled by a legislatively created economic development agency, in existence since 1982 and which since its inception has secured at least \$1.5 billion in private investment on 11,000 acres surrounding Tellico Lake. The eligible surrounding lands shall not extend outside the boundaries of such industrial park;

(v) The facility is located in a municipality having a population of at least one thousand (1,000) according to the 2000 federal census or any subsequent federal census;

(vi) The facility is managed by a manager who is found by a majority of the municipal board of aldermen to be an individual of good moral character; and

(vii) Such facility does not discriminate against any patron on the basis of age, gender, race, religion or national origin.

SECTION 8. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following as a new, appropriately designated subdivision:

(___) A facility which has at least fourteen (14) acres located on a lake of at least eight thousand (8,000) acres and which has the following characteristics. Such facility has:

(i) at least three hundred and fifty (350) boat slips;

(ii) a dry storage facility;

(iii) boat rentals;

(iv) a marine store;

(v) a full service restaurant with seating for at least one hundred fifty (150) people as well as a private banquet facility;

(vi) motel rooms and cabins for rent;

(vii) a swimming pool;

(viii) does not discriminate against any patron on the basis of age, gender, race, religion or national origin; and

(ix) is located in a county having a population of not less than fifty-six thousand seven hundred (56,700) nor more than fifty-six thousand eight hundred (56,800) according to the 2000 federal census or any subsequent federal census;

SECTION 9. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as new, appropriately designated subdivisions:

(_) A facility which has three hundred and eighty-five (385) acres of development on J. Percy Priest Lake and which contains all the following characteristics. Such facility:

(i) Has a Water Park;

(ii) Has a more than three hundred and twenty (320) slip marina;

(iii) Has an RV (recreational vehicle) campground;

(iv) Does not discriminate against any patron on the basis of age, gender, race, religion or national origin; and

(v) Is located in a county having a population of not less than five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census;

(_) A development which has all the following characteristics: Such development:

(i) Has a well established marina with boat slip rentals, gasoline, etc.;

(ii) Includes three hundred and eighty-five (385) acres on J. Percy Priest Lake;

(iii) Has a Water Park;

(iv) Has an RV (recreational vehicle) campground;

(v) Does not discriminate against any patron on the basis of age, gender, race, religion or national origin; and

(vii) Is located in a county having a population of not less than five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census;

SECTION 10. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following new subdivision to be appropriately designated:

() A commercially operated facility having all of the following characteristics. Such facility:

(i) Is a fully staffed 24 hours per day lodge located on thirty-six (36) acres of land offering at least one (1) meal per day along with hiking, biking, and horseback riding;

(ii) Has twelve (12) oversized rooms with king beds, private baths, and high speed internet access in the main lodge;

(iii) Has seventeen (17) one (1) and two (2) bedroom cabins which have full kitchens, wood burning fireplaces, hot tubs, and high speed internet access;

(iv) Has an eighteen hundred (1,800) square foot meeting facility with a capacity of up to one hundred twenty-five (125) persons, and a board room with a capacity of up to twelve (12) persons; both of which have high speed internet access;

(v) Has a volleyball court, a horseshoe pit, and picnic areas through out the property; and

(vi) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin.

SECTION 11. This act shall take effect on August 1, 2005, the public welfare requiring it.

PASSED: May 27, 2005


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of June 2005


PHIL BREDESEN, GOVERNOR