

SENATE BILL 2399

By Finney R.

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 131, Part 1, relative to hazardous  
substances.

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

SECTION 1. Tennessee Code Annotated, Section 68-131-102, is amended by adding the following language as a new, appropriately designated subdivision:

( ) "Bittering agent" means denatonium benzoate or another chemical compound deemed by the commissioner of agriculture by rule to be superior to denatonium benzoate due to cost, toxicity, performance or other factors;

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 131, Part 1, is amended by adding the following language as a new section:

§ 68-131-113.

(a) Any and all antifreeze containing at least ten percent (10%) ethylene glycol which is sold in this state on or after January 1, 2009, shall contain a bittering agent in a minimum concentration of thirty parts per million (30 p.p.m.) but not to exceed a maximum concentration of fifty parts per million (50 p.p.m.), or at a concentration deemed by the commissioner of agriculture to be more appropriate.

(b) Any and all antifreeze containing at least ten percent (10%) ethylene glycol and the bittering agent required by subsection (a), which is sold in this state on or after January 1, 2009, shall be labeled clearly and conspicuously with the name of the bittering agent and its concentration.

(c) No manufacturer, processor, distributor, recycler or seller of antifreeze containing at least ten percent (10%) ethylene glycol which complies with this section in this state shall be liable for any personal injury, death, property damage, environmental

damage or economic loss caused by the required inclusion of the bittering agent to such antifreeze.

(d) Any person violating the provisions of this section commits a Class C misdemeanor, punishable only by a fine of fifty dollars (\$50.00) per occurrence.

SECTION 3. The commissioner of agriculture is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act compiled at Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. This act shall take effect July 1, 2008, the public welfare requiring it.