

HOUSE BILL 793

By Carr

AN ACT to amend Tennessee Code Annotated, Title 13,
Chapter 20; Title 13, Chapter 21 and Title 29,
Chapter 17, relative to housing authorities.

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

SECTION 1. Tennessee Code Annotated, Section 13-20-201, is amended by deleting subsection (a) and substituting instead the following:

(a) As used in this part:

(1) "Blighted property" means a structure that was inspected by the appropriate local government and cited for one (1) or more enforceable housing, maintenance, or building code violations that:

(A) Affect the safety of the occupants or the public;

(B) Involve one (1) or more of the following:

(i) A roof or roof framing element;

(ii) Support walls, beams, and headers;

(iii) Foundation, footings, and subgrade conditions;

(iv) Light and ventilation;

(v) Fire protection, including egress;

(vi) Internal utilities, including electricity, gas, and water;

(vii) Flooring and flooring elements; or

(viii) Walls, insulation, and exterior envelope; and

(C) Have not been remedied within a reasonable time after two

(2) notices to cure the noncompliance; and

(2) "Blighted property" does not include land used primarily in the production of agriculture, as that term is defined in § 1-3-105.

SECTION 2. Tennessee Code Annotated, Section 13-20-202, is amended by adding the following as a new subsection:

When a housing authority or other condemning authority approves a prospective or actual taking under this part, the property owner has a right to have a court of competent jurisdiction determine if the taking is to remediate blight and resell the property.

SECTION 3. Tennessee Code Annotated, Section 13-20-203, is amended by adding the following as a new subsection:

A housing authority may acquire real property through a negotiated sale, without the use of eminent domain. A housing authority may pay more than fair market value for a property that is not a blighted property.

SECTION 4. Tennessee Code Annotated, Section 13-20-202(a)(1), is amended by deleting the language "blighted areas" and substituting instead the language "blighted property".

SECTION 5. Tennessee Code Annotated, Section 13-20-209, is amended by deleting the language "blighted areas" wherever it appears and substituting instead the language "blighted property".

SECTION 6. Tennessee Code Annotated, Section 13-20-216(a), is amended by deleting the language "blighted area" and substituting instead the language "blighted property".

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.