



State of Tennessee

PRIVATE CHAPTER NO. 35

HOUSE BILL NO. 1478

By Representative Wirgau

Substituted for: Senate Bill No. 1501

By Senator Stevens

AN ACT to levy a privilege tax upon certain motor vehicles in Henry County.

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

SECTION 1. In addition to other presently or hereinafter levied special privilege taxes upon motor vehicles taxable by the state, for the privilege of using the public roads and highways in Henry County, Tennessee, there is levied upon all motor vehicles taxable by the state, and upon the privilege of the operation thereof, except disabled veterans and prisoners of war as provided in Tennessee Code Annotated § 5-8-102, and any other exemptions provided by general law, a special privilege tax for the benefit of such county, which tax shall be in the amount of twenty-five dollars (\$25.00) for each such motor vehicle, the owner of which resides within said county. This tax applies to, is a levy upon, and shall be paid on each motor vehicle, the owner of which resides within Henry County.

SECTION 2. The tax levied under this act shall be paid to and collected by the County Clerk of Henry County, who is authorized by Tennessee Code Annotated § 67-4-103 to collect such privilege taxes. The County Clerk shall collect this tax at the same time the Clerk collects the state privilege tax levied upon the operation of a motor vehicle over the public highways of this state. The County Clerk shall not issue a state registration for the operation of a motor vehicle taxable under this act unless at the same time the owner pays the privilege tax due under the provisions of this act. The County Clerk shall deduct a fee of five percent (5%), or such higher or lower fee as may from time to time be authorized under Tennessee Code Annotated § 8-21-701 for receiving and paying over county revenue, from the amount of taxes collected and paid over to the County Trustee.

SECTION 3. Payment of the privilege tax imposed by this act shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor vehicle. The owner of the motor-driven vehicle shall make available for inspection the original of said receipt at any time law permits inspection of the vehicle registration.

SECTION 4. The motor vehicle privilege tax levied under this act, when paid, together with full, complete, and explicit performance of and compliance with all provisions of this act by the owner, shall entitle the owner of the motor vehicle for which said tax was paid to operate the vehicle or allow the vehicle to be operated over the streets, roads, and highways of the county for a period of one (1) year which will run concurrently with the period established by Tennessee Code Annotated § 55-4-104 for state registration fees.

SECTION 5. Any person violating provisions of this act, or any part thereof, commits a misdemeanor and shall, upon conviction, be subject to the same penalties provided for in Tennessee Code Annotated §§ 5-8-102 and 55-4-105, or other applicable general law.

SECTION 6. All revenue generated from the privilege tax imposed under this act shall be allocated to the Henry County Board of Education for purposes of capital improvements or service of debts incurred to fund capital improvements.

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

HB 1478

SECTION 8. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Henry County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified to the Secretary of State.

SECTION 9. For the purposes of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, if approved prior to July 1, 2018, by the legislative body of Henry County, Tennessee, then this Act shall become effective July 1, 2018, or if approved on or after July 1, 2018, then this Act shall become effective as provided in Section 8.

SECTION 10. This act shall cease to be in effect July 1, 2025.

HOUSE BILL NO. 1478

PASSED: March 8, 2018


BETH HARWELL
BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES


RANDY MCNALLY
RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 23rd day of March 2018


BILL HASLAM
BILL HASLAM, GOVERNOR



NOTICE TO SECRETARY OF STATE OF RATIFICATION OF PRIVATE ACT

SECRETARY OF STATE

Division of Publications
312 Rosa L. Parks Avenue
Eighth Floor
William R. Snodgrass Tennessee Tower
Nashville, TN 37243

Private Chapter No. 35, which is House
(Senate or House)

Bill No. 1478 of the 110th General Assembly, (please choose one):

Passed Failed No Action Taken

The vote took place on 04/16/18, and the results were as follows:
Date (mm/dd/yyyy)

14 Votes For

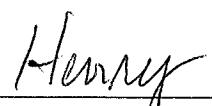
0 Votes Against

 Abstention

(please list number of votes)



Presiding Officer of the Local Legislative Body



County or City

04/17/18

Date (mm/dd/yyyy)

2018 MAY 2 03
PM STATE
CITY
Embossed Seal:
(if applicable)
SECRET

RESOLUTION NO. 6-04-18

**A RESOLUTION OF THE HENRY COUNTY BOARD OF
COMMISSIONERS TO APPROVE PRIVATE CHAPTER NO. 35, WHICH
ESTABLISHES WHEEL TAX**

WHEREAS, on the 18th day of September, 2017, this Body passed a Resolution to Urge the General Assembly to Enact a Private Act Providing for a Wheel Tax in Henry County; and

WHEREAS, the 110th Tennessee General Assembly passed a Private Act providing for a wheel tax in substantially the form requested by this Body, said Private Act being Private Chapter No. 35 (House Bill No. 1478, substituted for Senate Bill No 1501, 110th General Assembly); and

WHEREAS, said Private Chapter No. 35 specifies that the method of local approval is by a two-thirds majority vote of the county legislative body pursuant to TENN. CODE ANN. §§ 8-3-201 and 8-3-202; and

WHEREAS, it is in the public interest that Private Chapter No. 35 be approved by this Body;

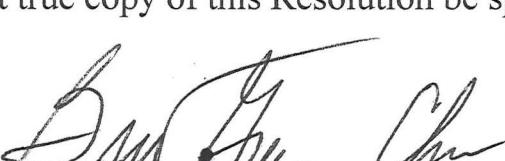
NOW, THEREFORE, BE IT RESOLVED by a two-thirds (2/3) vote of the county legislative body of Henry County, meeting in regular session on this **16th day of April, 2018**, that Private Chapter No. 35 (House Bill No. 1478, substituted for Senate Bill No 1501, 110th General Assembly) is hereby approved and ratified in its entirety; and

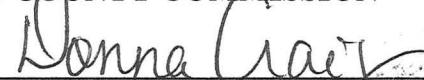
BE IT FURTHER RESOLVED, that the presiding officer of the county legislative body shall proclaim the approval of said Private Chapter No. 35, and the County Clerk shall certify the same to the Tennessee Secretary of State, and

BE IT FURTHER RESOLVED, that the County Clerk shall mail a certified copy of this Resolution along with the required Notice to Secretary of State of Ratification of Private Act to the Tennessee Secretary of State; and

BE IT FINALLY RESOLVED, that true copy of this Resolution be spread upon the commission record as of this date.

PASSED 4-16-18


BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION

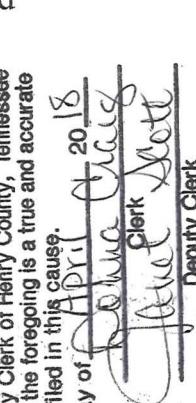

DONNA CRAIG
COUNTY CLERK


BRENT GREER
HENRY COUNTY MAYOR

APPROVED 4-16-18

RECEIVED
2018 MAY 17 PM 2:00
SECRETARY OF STATE
PUBLIC RECORDS

STATE OF TENNESSEE
COUNTY OF HENRY

Donna Craig, County Clerk of Henry County, Tennessee
do hereby certify that the foregoing is a true and accurate
copy of the original filed in this cause.
This 23 day of April 2018

Donna Craig
County Clerk
Deputy Clerk

ROLL CALL
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK
PARIS, TENNESSEE

Commissioner Greg Carter made a motion to approve Resolution 6-04-18, to approve Private Chapter No. 35, which establishes wheel tax. Commissioner Bradley seconded the motion.

ITEM NO. 12

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY				X	X			
CARTER, DELL					X			
CARTER, GREG			X		X			
COPELAND, JAMES					X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
STARKS, MONTE					X			
VISSEER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 4-16-18

STATE OF TENNESSEE
 COUNTY OF HENRY

I, Donna Craig, County Clerk of Henry County, Tennessee
 do hereby certify that the foregoing is a true and accurate
 copy of the original filed in this cause.

This 15 day of May 2018
Donna Craig
Clerk
Janet Scott
Deputy Clerk

RECEIVED
 2018 MAY 17 PM 2:03
 SECRETARY OF STATE
 DIGITAL SIGNATURES

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