



State of Tennessee

PUBLIC CHAPTER NO. 949

SENATE BILL NO. 2696

By Bailey, Gardenhire

Substituted for: House Bill No. 1732

By Cameron Sexton, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7 and Title 12, Chapter 2, relative to the sale of surplus real property by the department of transportation.

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

SECTION 1. Tennessee Code Annotated, Section 12-2-112(a)(8), is amended by adding the following new subdivision (D):

(D) Notwithstanding any law to the contrary, if the department of transportation's staff appraisal of a tract of surplus real property under subdivision (a)(8)(C)(ii) is equal to or less than ten thousand dollars (\$10,000), the department may transfer its interest in the property to any legal governmental body for the appraised value of the property, subject to the former owner's right of first refusal under subdivision (a)(8)(B), without further appraisal or approval under this section, except for the appraisal review provided in subdivision (a)(8)(C)(iv);

SECTION 2. Tennessee Code Annotated, Section 12-2-112(a)(8)(A), is amended by deleting the first sentence and substituting instead the following:

If the property was acquired by or for the use of the department of transportation for right-of-way, if its fair market value does not exceed seventy-five thousand dollars (\$75,000) or such amounts in excess of seventy-five thousand dollars (\$75,000) as may be approved by the state building commission, and if any adjoining property owner or the former owner of that property wishes to purchase the property, or if a legal governmental body wishes to acquire the property for a public use purpose under this subdivision (a)(8)(A) or subdivision (a)(8)(B), or if a legal governmental body wishes to acquire the property for fair market value as provided in subdivision (a)(8)(D), then this subdivision (a)(8) shall apply, notwithstanding any other provision of this section.

SECTION 3. Tennessee Code Annotated, Section 12-2-112(a)(8)(B), is amended by deleting the fourth sentence and substituting instead the following:

If the former property owner relinquishes the owner's right or the right has expired, the property may be conveyed to a legal governmental body in accordance with subdivision (a)(8)(D) or to an adjoining property owner.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 18, 2018



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 15th day of May 2018



BILL HASLAM, GOVERNOR