

HOUSE BILL 2442

By Capley

AN ACT to amend Tennessee Code Annotated, Title 67,
Chapter 4, Part 29, relative to the County Powers
Relief Act.

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

SECTION 1. Tennessee Code Annotated, Section 67-4-2913, is amended by deleting the section and substituting instead:

(a) After June 20, 2006, no county shall enact an impact fee on residential development or a local real estate transfer tax by private or public act.

(b) This part is the exclusive authority for local governments to adopt any new or additional adequate facilities taxes on residential development. However, this subsection (b) does not prevent a municipality or county from exercising any authority to levy or collect similar residential development taxes or impact fees granted by a private act that was in effect prior to June 20, 2006, or from revising the dedicated use and purpose of a tax on new residential development from public facilities to public school facilities.

(c) A county levying a residential development tax or impact fee by private act on June 20, 2006, shall not use the authority provided in this part so long as the private act is in effect.

(d) This part does not prohibit a local government from exercising any authority to levy or collect a development tax other than a residential development tax granted by a private act that was in effect prior to June 20, 2006.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.