

HOUSE BILL 2714

By Turner M

AN ACT to amend Tennessee Code Annotated, Section 13-3-304(b)(2)(A); Section 13-4-202(b)(2)(A); Section 13-7-104; Section 13-7-105(a); Section 13-7-203(b) and Section 13-7-204, relative to legislative body approval of amendments to plan or zoning ordinance.

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

SECTION 1. Tennessee Code Annotated, Section 13-3-304 (b)(2)(A), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(A) Except as provided in subdivision (b)(2)(B), if the planning commission votes to approve the amendment then the legislative body must approve the amendment by a majority vote in order for the amendment to be operative, but if the planning commission votes to not approve the amendment or transmits it back to the legislative body with no recommendation, then the legislative body must approve the amendment by a two-thirds (2/3) vote of the entire membership of the legislative body for the amendment to be operative.

SECTION 2. Tennessee Code Annotated, Section 13-4-202(b)(2)(A), is amended by deleting the subdivision in its entirety and by substituting instead of the following:

(A) Except as provided in subdivision (b)(2)(B), if the planning commission votes to approve the amendment then the legislative body must approve the amendment by a majority vote in order for the amendment to be operative, but if the planning commission votes to not approve the amendment or transmits it back to the legislative body with no recommendation, then the legislative body must approve the amendment by a two-thirds (2/3) vote of the entire membership of the legislative body for the amendment to be operative.

SECTION 3. Tennessee Code Annotated, Section 13-7-104, is amended by deleting the words “a majority” and substituting instead the words “not less than two-thirds (2/3)”.

SECTION 4. Tennessee Code Annotated, Section 13-7-105(a), is amended by deleting the words “a majority” and substituting instead the words “not less than two-thirds (2/3)”.

SECTION 5. Tennessee Code Annotated, Section 13-7-203(b), is amended by deleting the words “a majority” and substituting instead the words “not less than two-thirds (2/3)”.

SECTION 6. Tennessee Code Annotated, Section 13-7-204, is amended by deleting the words “a majority” and substituting instead the words “not less than two-thirds (2/3)”.

SECTION 7. This act shall take effect upon becoming law, the public welfare requiring it.