

SENATE BILL 2107

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 3, Part 4 and Title 13, Chapter 4, Part 3, relative to recording plats of land division by the county register of deeds.

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

SECTION 1. Tennessee Code Annotated, Section 13-3-402(b), is amended by adding the following language after the second sentence of the subsection:

In order to assist the county register in determining the recording status of a plat of a division of land, the regional planning commission shall require that all plats showing a division of land first be submitted to the regional planning commission to determine whether the plat has to be approved by the regional planning commission, or whether the plot is exempt from approval under the subdivision criteria established in § 13-3-401. The regional planning commission may delegate to a staff person or the secretary of the regional planning commission the duty to review plats to determine whether a plat is exempt from approval by the regional planning commission and may be recorded, or whether the plat must instead be submitted to and approved by the regional planning commission prior to recording by the county register. Any dispute as to whether a plat is exempt from regional planning commission approval shall be resolved by the regional planning commission. The county register may record an exempt plat of a division of land only after the regional planning commission has made an exemption determination, and has caused a certificate to be placed on the plat, and such certificate has been signed by the secretary or a designee of the regional planning commission. The certificate shall provide that the plat does not require approval of the regional planning commission and may be recorded by the county register.

SECTION 2. Tennessee Code Annotated, Section 13-4-302(c), is amended by adding the following language after the second sentence of the subsection:

In order to assist the county register in determining the recording status of a plat of a division of land, the planning commission shall require that all plats showing a division of land first be submitted to the planning commission to determine whether the plat has to be approved by the planning commission, or whether the plot is exempt from approval under the subdivision criteria established in § 13-4-301. The planning commission may delegate to a staff person or the secretary of the planning commission the duty to review plats to determine whether a plat is exempt from approval by the planning commission and may be recorded, or whether the plat must instead be submitted to and approved by the planning commission prior to recording by the county register. Any dispute as to whether a plat is exempt from planning commission approval shall be resolved by the planning commission. The county register may record an exempt plat of a division of land only after the planning commission has made an exemption determination, and has caused a certificate to be placed on the plat, and such certificate has been signed by the secretary or a designee of the planning commission. The certificate shall provide that the plat does not require approval of the planning commission and may be recorded by the county register.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.