

SENATE BILL 2926

By Jackson

AN ACT to amend Chapter 324 of the Private Acts of 1980; as amended by Chapter 34 of the Private Acts of 1985; Chapter 65 of the Private Acts of 2005; and any other acts amendatory thereto, relative to the hotel occupancy tax in Madison County.

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

SECTION 1. Chapter 324 of the Private Acts of 1980, and any other acts amendatory thereto, is amended by adding the following paragraph at the end of Section 10:

Without limiting the foregoing, the Commission is authorized and empowered to utilize any and all funds allocated to the Commission to make economic development grants to other governmental entities and public corporations, including, but not limited to, any industrial development corporation created by the City, the County, or both the City and the County, in order to accomplish its purpose of promoting community economic development, conventions, industrial advertising, tourism, and recreational activity. In furtherance of the foregoing, the Commission is authorized to enter into binding grant agreements for a term not in excess of twenty (20) years pursuant to which the Commission agrees to grant all, a portion, or a percentage of the funds allocated to the Commission upon such terms as the Commission deems appropriate, which grant agreement may be enforced by the beneficiary thereof and by any third-party beneficiary identified in such grant agreement.

SECTION 2. Chapter 324 of the Private Acts of 1980, as amended by Chapter 34 of the Private Acts of 1985, Chapter 65 of the Private Acts of 2005, and any other acts amendatory thereto, is amended by deleting Section 11 in its entirety and substituting instead the following:

SECTION 11. Application and allocation of revenue. The proceeds of the tax authorized by this Act shall be appropriated and allocated by the County Trustee as follows:

A. Beginning the 1st day of the second calendar month next following the date when a single tourism attraction project (within the meaning of Tenn. Code Ann. § 7-53-101(15)(E)), located within the County, as designated by the Community Economic Development Commission created and established elsewhere in this Act, is determined by the Community Economic Development Commission to be substantially completed and eligible for issuance by the local governmental authority of an unconditional occupancy permit, and continuing thereafter for a period of twenty (20) years, there shall be allocated to the Community Economic Development Commission one hundred percent (100%) of all net taxes collected by the County Trustee from such tourism attraction project, to be used by said Commission in accordance with the purposes set forth in Section 10 of this Act.

B. If no tourism attraction project, as defined in subsection A, is under construction in the County by December 31, 2023, as determined by the Community Economic Development Commission, then the tax allocation to the Community Economic Development Commission, as defined in subsection A, shall be null and void.

C. The remaining proceeds of the taxes, including all proceeds received or allocable to periods prior to and subsequent to the twenty-year period set forth in subsection A or the December 31, 2023, date set forth in subsection B, whichever is applicable, shall be allocated and paid by the County Trustee as follows:

(1) Forty percent (40%) of the proceeds shall be allocated to and placed in the general fund of the City of Jackson;

(2) Forty percent (40%) of the proceeds shall be allocated to and placed in the general fund of Madison County; and

(3) Twenty percent (20%) of the proceeds shall be allocated and placed in a fund to be administered by the Community Economic Development Commission created and established elsewhere in this Act, to be used by said Commission in accordance with the purposes as set forth in Section 10 of this Act.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Madison County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Madison County and certified to the secretary of state.

SECTION 4. For the purpose 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, it shall become effective as provided in Section 3.