

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 400

HOUSE BILL NO. 2139

By Representative Todd

Substituted for: Senate Bill No. 2156

By Senator Ketron

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 54, Part 5, relative to municipal powers generally.

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

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 5, is amended by adding the following language as a new, appropriately designated section:

Section 6-54-5\_. The following actions of the governing body of a municipality shall be by ordinance unless otherwise allowed by general law to be done by resolution:

(1) Any action required by general law or the charter of a municipality to be by ordinance; or,

(2) Any action that:

(i) Levies a tax;

(ii) Makes a special assessment;

(iii) Is permanent in nature; or

(iv) Has a regulatory or penal effect.

SECTION 2. This act shall take effect September 1, 2009, the public welfare requiring it and shall only apply to actions to which this act applies taken by a municipal governing body on or after the effective date of this act.

**PASSED: June 3, 2009**

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KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

A handwritten signature in black ink, reading "Ron Ramsey", written over a horizontal line.

RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 9th day of June 2009

A handwritten signature in black ink, reading "Phil Bredeesen", written over a horizontal line.

PHIL BREDESEN, GOVERNOR