



# State of Tennessee

## PUBLIC CHAPTER NO. 317

HOUSE BILL NO. 74

By Representative Jernigan

Substituted for: Senate Bill No. 1101

By Senator Dickerson

AN ACT to amend Tennessee Code Annotated, Title 9, Chapter 23 and Title 13, Chapter 20, relative to transit-oriented development.

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

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 20, Part 7, is amended by adding the following as a new section:

(a) A property owner within the area covered by a transit-oriented redevelopment plan may appeal a decision of an authority, or any committee of an authority, regarding a transit-oriented redevelopment project to a legislative appeal board, created under subsection (b).

(b)

(1) In any area that is covered by a transit-oriented redevelopment plan, there is created a legislative appeal board that is composed of:

(A) The members of the general assembly, as nonvoting, ex officio members, who represent the districts, in whole or in part, within the area where the transit-oriented redevelopment project is located;

(B) The members of the local legislative bodies, as voting, ex officio members, who represent the districts, in whole or in part, within the area where the transit-oriented redevelopment project is located; and

(C) Two (2) members appointed by the members of the general assembly who are ex officio members of the board.

(2) The terms of the appointed members are coterminous with the terms of the appointing authority's term. The appointed members serve at the pleasure of the appointing authority.

(3) The members of the legislative appeal board do not receive compensation for their service on the board.

(4) A majority of the members serving on the board constitutes a quorum.

(c) To initiate an appeal under subsection (a), a property owner shall notify the authority and each member of the legislative appeal board of the property owner's intent to appeal by certified mail, return receipt requested. The notification must contain information identifying the transit-oriented redevelopment project and the specific decision of the authority or committee the property owner is appealing.

(d) Upon notification under subsection (c), the authority shall send copies of any documentation regarding the transit-oriented redevelopment project that is germane to the appeal, including a statement of the reasoning behind the decision under appeal, to each member of the legislative appeal board.

(e) The legislative appeal board shall meet at least once each quarter at a location that is convenient to the members, unless there are no appeals filed in that quarter, in which case the legislative appeal board does not have to meet.

**HB 74**

(f) Upon convening under subsection (e), the legislative appeal board may overrule any decision of an authority or committee that is the subject of the appeal, and such decision is binding on the authority or committee.

SECTION 2. Tennessee Code Annotated, Section 13-20-704, is amended by adding the following as a new subsection:

(1) An authority shall vote to approve or disapprove an amendment to a transit-oriented redevelopment plan initiated by the governing body of the municipality within sixty (60) days of the amendment being submitted by the governing body.

(2) A governing body of a municipality shall vote to approve or disapprove an amendment to a transit-oriented redevelopment plan initiated by an authority within sixty (60) days of the amendment being submitted by the authority.

SECTION 3. Tennessee Code Annotated, Section 9-23-105, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) Notwithstanding subsection (a), a transit-oriented redevelopment plan approved pursuant to title 13, chapter 20, part 7, that includes tax increment financing of one million dollars (\$1,000,000) or more may provide that not more than three percent (3%) of incremental tax revenues may be set aside for administrative expenses, including expenses incurred by the tax increment agency and tax agency administrative offices (assessor of property and/or trustee or other tax collecting official) in administering the plan, including a reasonable allocation of overhead expenses.

SECTION 4. This act shall take effect July 1, 2019, the public welfare requiring it.

HOUSE BILL NO. 74

PASSED: April 22, 2019



GLEN CASADA, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 8<sup>th</sup> day of May 2019



BILL LEE, GOVERNOR