

CHAPTER NO. 125

HOUSE BILL NO. 436

By Representative Curtiss

Substituted for: Senate Bill No. 508

By Senators Burks, Rochelle, McNally, Leatherwood

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 17, relative to county fire departments.

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

SECTION 1. Tennessee Code Annotated, Section 5-17-101 is amended by adding the following as a new subsection:

() A fire department established pursuant to this chapter may be funded through one of the following methods:

(1) As authorized by §§5-17-105 through 5-17-107, the county legislative body may establish one (1) or more fire tax districts and levy an annual fire tax upon the property in each district for the purpose of funding the activities of the fire department within that district.

(2) As an alternative to fire tax districts, the county legislative body is hereby authorized to allocate revenue from the general fund of the county to fund fire protection services to be provided to the unincorporated portions of the county. Any such revenues allocated for fire protection services shall have been generated by situs-based taxes collected in unincorporated areas of the county or shall have originated from other revenue sources which have already been shared with municipalities.

(3) Nothing in this section shall be construed as limiting the ability of local governments to provide for fire protection services through an interlocal agreement as authorized by Title 12, Chapter 9 or any other provision of the Tennessee Code.

(4) Nothing in this act shall prohibit nor be construed to prohibit a local government from accepting donations or charitable contributions to fund the activities of the fire department regardless of the method of funding selected by a local government under the provisions of this section.

SECTION 2. Tennessee Code Annotated, Section 5-17-102(a)(16) is amended by adding, immediately after the language and punctuation "governing body," the following language and punctuation:

in those counties that have chosen to fund fire departments through fire tax districts,

SECTION 3. Tennessee Code Annotated, Section 5-17-104(b) is amended by deleting that subsection in its entirety and substituting instead the following language:

(b) In those counties that have established fire tax districts, the county wide fire department shall determine what share of the total annual expense of the county wide fire department must be allocated to each fire tax district.

SECTION 4. Tennessee Code Annotated, Section 5-17-103(c), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(c) The county fire chief shall be appointed by the county executive, subject to confirmation by the county legislative body or other governing body.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 29, 1999


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 12th day of May 1999


DON SUNDQUIST, GOVERNOR