

HOUSE BILL 2073
By Turner (Dav)

AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 7, relative to tax relief.

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

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 5, Part 7, is amended by adding Section 2 of this act as a new, appropriately designated section.

SECTION 2. (a) In order to assist the Legislature in determining eligibility criteria and amount of reimbursement of property taxes to elderly low-income taxpayers on owner-occupied residential property pursuant to Article II, Section 28 of the Constitution of the state of Tennessee, the speakers of the house of representatives and the senate are authorized to appoint a seven (7) member advisory commission for such purpose. The advisory commission shall consist of the comptroller of the treasury, ex officio, and six (6) additional members who have knowledge and expertise in property valuation and living costs for elderly Tennesseans living on a fixed income.

(b) Two (2) appointments shall be made from each of the three (3) grand divisions, one (1) each from a major metropolitan area and rural area in each grand division. Appointments shall be for two (2) year terms. Any vacancy occurring during such term shall be filled in the same manner as the initial appointment for the remainder of the term.

(c) The advisory commission shall meet prior to January 31st each year in Nashville, Tennessee and present its recommendations to the finance ways and means committee of each house no later than March 31st of such year. Such meetings shall be open as required by Tennessee Code Annotated, Title 8, Chapter 44, Part 1 . The annual review of the advisory commission shall include the rate of inflation and average costs and expenditures of elderly Tennesseans, including but not limited to, medical, including prescription drugs, home maintenance and energy, property and other taxes due and owing, transportation and any other expenditures and costs the commission deems appropriate. If the advisory commission recommends the taxpayer's income level be increased or the assessed valuation of the full market value of the property be increased over the previous year, the advisory commission shall consider and make a concerted effort to determine how many additional Tennesseans would be eligible for such tax relief for each additional one thousand dollar (\$1,000) increase in the taxpayer's annual income recommended as well as each additional one thousand dollar (\$1,000) increase in assessed valuation of the full market value of the property recommended.

(d) The finance ways and means committees are not required to adopt the recommendations of the commission but are urged to use such recommendations in their deliberations on the budget with respect to the amount of tax relief to be provided to elderly low-income tax payers.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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