

CHAPTER NO. 174

SENATE BILL NO. 806

By Atchley

Substituted for: House Bill No. 1333

By Hagood

AN ACT to amend Tennessee Code Annotated, Title 35, Chapter 5, Part 1, relative to judicial sales.

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

SECTION 1. Tennessee Code Annotated, Title 35, Chapter 5, Part 1, is amended by adding the following new section:

§ 35-5-115. (a) **IF** a non-resident creditor holds indebtedness secured by residential real property that is located in Tennessee and owned by a Tennessee resident, **OR**

IF a non-resident trustee or agent is involved in foreclosure proceedings relative to residential real property that is located in Tennessee and owned by a Tennessee resident, **THEN**

All discovery proceedings (including, but not limited to, the production of requested documents and the deposition of witnesses), shall be conducted in the county in which the residential real estate is located or in which the litigation is pending.

(b) The court in which such litigation is pending may make orders consistent with the purposes of this section, to prevent undue burden on any party.

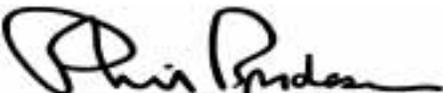
SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 8, 2003


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 22nd day of May 2003


PHIL BREDESEN, GOVERNOR