

HOUSE BILL 2695  
By Dunn

AN ACT to amend Tennessee Code Annotated, Title 29,  
relative to eminent domain.

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

SECTION 1. Tennessee Code Annotated, Section 29-17-101, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b) The county legislative body shall conduct a public hearing on the necessity of condemning property for a county purpose and shall approve or disapprove by majority vote the exercise of eminent domain before any property is condemned and taken by the county or any county agency having authority to exercise the power of eminent domain.

SECTION 2. Tennessee Code Annotated, Section 29-17-201, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b) The legislative body of any municipality shall conduct a public hearing on the necessity of condemning property for a municipal purpose and shall approve or disapprove by majority vote the exercise of eminent domain before any property is condemned and taken by the municipality or any municipal agency having authority to exercise the power of eminent domain.

SECTION 3. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding the following language as a new part 13:

§ 29-17-1301.

Eminent domain under this chapter, title 29, chapter 16, or any other provision of law shall not be exercised by the state, any political subdivision of the state, or any other

authority to whom the power of eminent domain has been granted, if the purpose of acquiring the property is to sell, lease, transfer or otherwise convey it to a person or private entity for private development.

SECTION 4. This act shall take effect July 1, 2006, the public welfare requiring it, and shall apply to eminent domain proceedings commenced on or after such date.