

HOUSE BILL 2682

By Hill

AN ACT to amend Tennessee Code Annotated, Title 6,
relative to creating the "Courthouse Square
Revitalization and Tourism Development Zone
Act."

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

SECTION 1. This chapter may be known and shall be cited as the "Courthouse Square Revitalization and Tourism Development Zone Act."

SECTION 2. Tennessee Code Annotated, Title 6, is amended by adding the following sections as a new, appropriately designated chapter thereto:

6-60-101.

As used in this chapter, unless the context otherwise requires:

(1) "Courthouse square revitalization and tourism development zone" or "revitalization and development zone" means an area in the municipality officially designated by ordinance or resolution of such municipality as the courthouse square revitalization and tourism development zone in which the county courthouse is located that is generally within approximately seven hundred feet (700') of the courthouse property or within a business district in a downtown historic zone or property in which a public arts facility is located within a downtown historic zone that is approved and certified by the department of finance and administration as meeting the requirements of this chapter; and

(2) "Municipality" means an incorporated town or city recognized as the oldest town in Tennessee and having a population of not less than four thousand one hundred sixty (4,160) nor more than four thousand one hundred seventy (4,170) according to the 2000 federal census or any subsequent federal census and that is the county seat of a

county having a population of not more than one hundred twenty thousand (120,000) according to the 2000 federal census or any subsequent federal census.

6-60-102.

(a) The governing body of a municipality may designate the boundaries of a courthouse square revitalization and tourism development zone by adoption of an ordinance or resolution.

(b) Sales and use tax revenue shall be apportioned and distributed to, in accordance with the provisions of this chapter, a municipality containing a revitalization and development zone in an amount equal to the amount of state and local tax revenue devised under title 67, chapter 6, from sales or use of goods, products and services within the revitalization and development zone; provided that the allocations, apportionments and payments set forth in this subsection (b) shall not apply to state or local tax revenue derived from any area added to a courthouse square revitalization and tourism development zone by amendment of the boundaries of the revitalization and development zone by the municipality after the approval of the municipality's application by the department of finance and administration, unless the department has determined in accordance with the provisions of this chapter that the area added to the revitalization and development zone is appropriate. The amount so distributed to the municipality shall be used exclusively for maintaining and improving the viability of the courthouse square and tourism development zone area through any means deemed appropriate by the governing body of the municipality including, but not limited to making loans or grants to any public or private person, entity or association for the use of infrastructure, marketing, economic development and other purposes related to revitalization and tourism development.

(c) Notwithstanding any provision of subsection (b) or §6-59-104(a) to the contrary, the amount of revenue apportioned and distributed to a municipality under this chapter shall equal the amount of state tax revenue derived under title 67, chapter 6, from sales or use of goods, products and services within the revitalization and development zone.

6-60-103.

(a) To be entitled to receive the allocations of state and local sales and use tax revenue as provided in this chapter, a municipality must first file with the department of finance and administration an application seeking approval and certification of the proposed courthouse square revitalization and tourism development zone. The department shall review the application to confirm that the courthouse square revitalization and tourism development zone meets the size and form requirements of this chapter. A revitalization and development zone may embrace two or more separate parcels of real property and such property may be publicly or privately owned. Each revitalization and development zone shall be of such size and form as to include all properties that in the judgment of the municipality and the department of finance and administration constitutes an integral part of the courthouse square and downtown area. If the department determines that the boundaries of the proposed courthouse square revitalization and tourism development zone exceed the area that is reasonably deemed to be integral to the courthouse square and downtown area, the department may adjust or reduce the boundaries of the proposed area. In reviewing the application, the department of finance and administration shall consult with the department of revenue and may consult with the department of economic and community development and the department of tourism.

(b) The application shall include, but not be limited to the following information:

(1) The name of the proposed courthouse square revitalization and tourism development zone which shall include the name of the municipality in which the revitalization and development zone is to be located, together with the words “courthouse square revitalization and tourism development zone”;

(2) A description of the revitalization and development zone by dated tax maps showing all real properties and public right-of-ways within the zone;

(3) A listing of all real properties within the zone including address, owner and present use;

(4) A development plan outlining the improvements intended and proposed activities that meet the uses promulgated in the Courthouse Square Revitalization Pilot Project Act of 2005, section 6-59-103(b), as well as improvements within the revitalization and development zone that increase economic development and enhance the municipality’s ability to become a tourist destination;

(5) Such other information as may be reasonably requested by the department of finance and administration.

6-60-104.

The apportionment and payment of tax revenue as provided in this chapter shall be made by the department of revenue to the municipality within ninety (90) days of the end of each fiscal year for which the municipality is entitled to receive an allocation and payment of such tax revenue.

6-60-105.

The department of revenue and the department of finance and administration are authorized to adopt rules and regulations in accordance with the provisions of the

Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to implement the provisions of this chapter.

6-60-106.

This part is repealed on June 30, 2030.

SECTION 3. For the purposes of promulgating rules and regulations this act shall take effect upon becoming a law and for all other purposes this act shall take effect July 1, 2010, the public welfare requiring it.