

Amendment No. 5 to SB0279

**Southerland
Signature of Sponsor**

AMEND Senate Bill No. 279*

House Bill No. 475

by deleting sections 1 and 2, substituting instead the following, and renumbering the remaining section accordingly:

SECTION 1. Tennessee Code Annotated, Section 6-51-102(a), is amended by deleting subdivisions (1) and (2) in their entirety and by substituting instead the following language:

(1)

(A) A municipality, when petitioned by a majority of the residents and property owners of the affected territory, after notice and public hearing, by ordinance, may extend its corporate limits by annexation of such territory adjoining its existing boundaries as may be deemed necessary for the welfare of the residents and property owners of the affected territory as well as the municipality as a whole; provided, that the ordinance shall not become operative until thirty (30) days after final passage thereof. During this thirty-day period, the municipality shall notify the county mayor in whose county the territory being annexed is located that territory located in the unincorporated part of the county is being annexed by the municipality. The notification shall include a copy of the annexation ordinance and a map of the area being annexed.

(B)

(i) A municipality located in a county listed in subdivision (a)(1)(B)(ii), when petitioned by a majority of the residents and

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property owners of the affected territory, or upon its own initiative when it appears that the prosperity of such municipality and territory will be materially retarded and the safety and welfare of the inhabitants and property endangered, after notice and public hearing, by ordinance, may extend its corporate limits by annexation of such territory adjoining its existing boundaries as may be deemed necessary for the welfare of the residents and property owners of the affected territory as well as the municipality as a whole; provided, that the ordinance shall not become operative until thirty (30) days after final passage thereof. During this thirty-day period, the municipality shall notify the county mayor in whose county the territory being annexed is located that territory located in the unincorporated part of the county is being annexed by the municipality. The notification shall include a copy of the annexation ordinance and a map of the area being annexed.

(ii) This subdivision (a)(1)(B) shall apply only in counties having a population, according to the 2010 federal census or any subsequent federal census, of:

not less than:	nor more than:
35,600	35,700
68,800	68,900

62,500

62,600

89,800

89,900

(2) Except as authorized by subdivision (a)(1)(B), after April 1, 2013:

(A) No municipality shall extend its corporate limits by means of annexation by ordinance upon the municipality's own initiative;

(B) No annexation ordinance upon the municipality's own initiative shall become operative; and

(C) Annexation shall occur only by means of ordinance, pursuant to subdivision (a)(1) above, or resolution, pursuant to §§ 6-51-104 and 105.