

HOUSE BILL 2026

By Carter

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 51 and Title 6, Chapter 58, relative to annexation.

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

SECTION 1. Tennessee Code Annotated, Section 6-51-102(a)(1), is amended by deleting the language” 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,”.

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

(2)

(A) By resolution duly adopted prior to August 1, 2014, a county legislative body may authorize the municipalities within the county to annex territory in accordance with the method set forth in subdivision (a)(2)(C); provided, however, such authorization shall:

(i) Extend to all municipalities within the county;

(ii) Remain effective for the remainder of the twenty-year term of the comprehensive, county growth plan ratified and approved immediately following enactment of Chapter 1101 of the Public Acts of 1998; and

(iii) Terminate upon expiration of such twenty-year term.

(B) Prior to adopting such resolution, the county legislative body shall hold at least one (1) public hearing to receive oral and written testimony from interested organizations and citizens. Notice of the time, place, and purpose of

each such public hearing shall be published in a newspaper of general circulation in the county not less than fifteen (15) days before the hearing.

(C) If authorized by resolution adopted in accordance with subdivisions (a)(2)(A) and (B), a municipality, upon its own initiative when it appears that the prosperity of such municipality and territory within its urban growth boundaries 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 within its urban growth boundaries 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, however, 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.

SECTION 3. Tennessee Code Annotated, Section 6-51-102(a)(3), is amended by deleting the subdivision in its entirety.

SECTION 4. Tennessee Code Annotated, Section 6-51-122, is amended by deleting the section in its entirety.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.