

HOUSE BILL 74

By Jernigan

AN ACT to amend Tennessee Code Annotated, Title 9, Chapter 23 and Title 13, Chapter 20, relative to transit-oriented development.

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

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 20, Part 7, is amended by adding the following as a new section:

(a) A property owner within the area covered by a transit-oriented redevelopment plan may appeal a decision of an authority, or any committee of an authority, regarding a transit-oriented redevelopment project to a legislative appeal board composed of the members of the general assembly and the members of the local legislative bodies who represent each district, in whole or in part, within the area where the transit-oriented redevelopment project is located.

(b) To initiate an appeal under subsection (a), a property owner shall notify the authority and each member of the legislative appeal board of the property owner's intent to appeal by certified mail, return receipt requested. The notification must contain information identifying the transit-oriented redevelopment project and the specific decision of the authority or committee the property owner is appealing.

(c) Upon notification under subsection (b), the authority shall send copies of any documentation regarding the transit-oriented redevelopment project that is germane to the appeal, including a statement of the reasoning behind the decision under appeal, to each member of the legislative appeal board.

(d) The legislative appeal board shall meet at least once each quarter at a location that is convenient to the members, unless there are no appeals filed in that quarter, in which case the legislative appeal board does not have to meet.

(e) Upon convening under subsection (d), the legislative appeal board may overrule any decision of an authority or committee that is the subject of the appeal, and such decision is binding on the authority or committee.

SECTION 2. Tennessee Code Annotated, Section 13-20-704, is amended by adding the following as a new subsection:

(1) An authority shall vote to approve or disapprove an amendment to a transit-oriented redevelopment plan initiated by the governing body of the municipality within sixty (60) days of the amendment being submitted by the governing body.

(2) A governing body of a municipality shall vote to approve or disapprove an amendment to a transit-oriented redevelopment plan initiated by an authority within sixty (60) days of the amendment being submitted by the authority.

SECTION 3. Tennessee Code Annotated, Section 9-23-105, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) Notwithstanding subsection (a), a redevelopment plan approved pursuant to title 13, chapter 20, that includes tax increment financing of one million dollars (\$1,000,000) or more may provide that not more than three percent (3%) of incremental tax revenues may be set aside for administrative expenses, including expenses incurred by the tax increment agency and tax agency administrative offices (assessor of property and/or trustee or other tax collecting official) in administering the plan, including a reasonable allocation of overhead expenses.

SECTION 4. This act shall take effect July 1, 2019, the public welfare requiring it.