

SENATE BILL 2056

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 12; Title 29 and Title 54, relative to the
purchase of property taken by eminent domain.

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

SECTION 1. Tennessee Code Annotated, Section 54-5-104, is amended by adding the following as a new subsection (c):

(1) The department, having condemned or taken property through the exercise of eminent domain pursuant to this section, shall offer to sell the condemned or taken property to the former property owner from whom the property was condemned or taken if:

(A) Twenty (20) years or more have elapsed from the date of acquisition of the property by the department; and

(B) The department has not used the property or twenty (20) years or more have elapsed since the department last used the property.

(2) The department shall make a good faith effort to locate and notify a former property owner described by this subsection (c) upon the expiration of the time period described in subdivision (c)(1).

(3) Upon the department locating the former property owner, the department shall send a purchase agreement to the former owner that authorizes the former owner to purchase the property for the same price paid to the former owner when it was obtained by the department or for the department's use.

(4) A former property owner has ninety (90) days from the receipt of the purchase agreement in which to sign and return the purchase agreement to the

department. If the former owner fails to sign and return the purchase agreement within the ninety-day period, then the former owner forfeits the right to repurchase the property for the same price paid to the former owner when it was obtained by the department or for the department's use.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.