

HOUSE BILL 255

By Shaw

AN ACT to amend Tennessee Code Annotated, Title 29,
Chapter 3, relative to abatement of nuisances.

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

SECTION 1. Tennessee Code Annotated, Section 29-3-105, is amended by adding the following language to the end of subsection (a):

No temporary writ of injunction shall be awarded prior to the hearing required by § 29-3-106, if the owner of the property is not the person keeping, maintaining, or carrying on the nuisance.

SECTION 2. Tennessee Code Annotated, Section 29-3-106, is amended by redesignating subsection (a) as subdivision (a)(1) and adding the following as a new subdivision:

(2) Notwithstanding subsection (c), if a defendant, who is the owner of the property and not the person keeping, maintaining, or carrying on the nuisance, demonstrates that the defendant was unaware of the nuisance prior to receiving the notice required by this subsection (a), and that the defendant has voluntarily taken steps after receiving notice to abate the nuisance without the involvement of the court, the court may dismiss the petition or continue the action pending further action by the defendant.

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.