

HOUSE BILL 279

By White M

AN ACT to amend Chapter 987 of the Public Acts of 1998; Chapter 50 of the Public Acts of 2007 and Chapter 605 of the Public Acts of 2012, relative to the "Community Redevelopment Act of 1998."

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

SECTION 1. Chapter 987 of the Public Acts of 1998, as amended by Chapter 50 of the Public Acts of 2007, and Chapter 605 of the Public Acts of 2012, is amended by deleting Section 9(b) in its entirety and substituting instead the following:

(b)

(1) Except as otherwise provided in subdivision (b)(2), when the governing body adopts a resolution declaring the need for a community redevelopment agency, that body shall, by ordinance, appoint a board of commissioners of the community redevelopment agency, which shall consist of not fewer than five (5) or more than seven (7) commissioners. Except as otherwise provided in subdivision (b)(2), the terms of office of the commissioners shall be for four (4) years, except that three (3) of the members first appointed shall be designated to serve terms of one (1), two (2), and three (3) years, respectively, from the date of their appointments, and all other members shall be designated to serve for terms of four (4) years from the date of their appointments. A vacancy occurring during a term shall be filled for the unexpired term.

(2) After July 1, 2015, only in counties having a population of over nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census, the governing body may amend the ordinance to

increase the total number of the board of commissioners of the community redevelopment agency to any number, not less than seven (7), all of whom shall be duly qualified electors of and taxpayers in the county or municipality, and to increase the length of each term from four (4) years to six (6) years. At such time, the terms for each group of commissioners serving on the board on June 30, 2015, shall not be decreased but may be increased and adjusted. The terms of any new commissioners appointed on or after July 1, 2015, for the purpose of increasing the total number of commissioners, and the terms of commissioners serving on June 30, 2015, shall be divided into the three (3) groups containing as near equal whole numbers as possible, with the ending date of the initial or existing terms staggered so that, thereafter, each group of commissioners shall serve staggered terms of equal length. A vacancy occurring during a term shall be filled for the unexpired term.

SECTION 2. Chapter 987 of the Public Acts of 1998, as amended by Chapter 50 of the Public Acts of 2007, and Chapter 605 of the Public Acts of 2012, is further amended by deleting Section 10(a)(1) in its entirety and substituting instead the following:

(a)

(1)

(A) As an alternative to the appointment of not fewer than five (5) or more than seven (7) members of the agency, the governing body may, at the time of the adoption of a resolution under Section 8, or at any time thereafter by adoption of a resolution, declare itself to be an agency, in which case all the rights, powers, duties, privileges, and immunities vested by this part in an agency will be vested in the governing body of the county or municipality, subject to all responsibilities and liabilities imposed or incurred.

(B) In counties having a population of over nine hundred thousand (900,000), according to the 2010 federal census or any

subsequent federal census, as an alternative to the appointment of any number of commissioners, not less than seven (7), the governing body may, at the time of the adoption of the resolution under Section 8, or at any time thereafter by adoption of a resolution, declare itself to be an agency, in which case all the rights, powers, duties, privileges, and immunities vested by this part in an agency will be vested in the governing body of the county or municipality, subject to all responsibilities and liabilities imposed or incurred.

SECTION 3. Chapter 987 of the Public Acts of 1998, as amended by Chapter 50 of the Public Acts of 2007, and Chapter 605 of the Public Acts of 2012, is further amended by adding the following new subsection (i) to Section 21:

(i) In counties having a population of over nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census, an agency shall have, in addition to the powers set forth in this act, the powers of a housing authority for the purposes of the implementation and financing of redevelopment districts, including without limitation, tax increment financing, as delineated in Tennessee Code Annotated §§ 13-20-201–13-20-209, and such other powers of a housing authority as set forth in Tennessee Code Annotated, Title 13, Chapter 20, Part 1, as is necessary to achieve such implementation and financing of redevelopment districts.

SECTION 4. This act shall take effect July 1, 2015, the public welfare requiring it.