

HOUSE BILL 405

By Turner J

AN ACT to amend Tennessee Code Annotated, Title 43
and Title 67, relative to community gardening.

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

SECTION 1. Tennessee Code Annotated, Section 67-5-2509(d), is amended by adding the following as a new subdivision:

(6) In lieu of the sale to private purchasers as provided in subsection (b), the proper officers of the municipality or county may convey property suitable for community gardening, as defined in § 43-24-102, to a private nonprofit entity that meets all of the following conditions, on any terms, including a donation, deemed appropriate to the officers:

(A) The entity is certified as a tax exempt entity under § 501(c)(3) of the Internal Revenue Code (26 U.S.C. § 501(c)(3));

(B) The entity is qualified to operate and maintain a community garden under title 43, chapter 24, and any rules or regulations promulgated pursuant thereto; and

(C) Ownership of the property shall revert to the municipality or county if the entity, or a successor nonprofit entity that meets all of the conditions of this subdivision (d)(6), ceases to operate and maintain a community garden on the property.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.