

HOUSE BILL 1279

By Davis

AN ACT to amend Tennessee Code Annotated, Title 7 and Title 67, relative to public funding for convention center facilities.

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

SECTION 1. Tennessee Code Annotated, Section 7-4-102(b), is amended by adding the following as a new subdivision:

(4)

(A) Beginning July 1, 2023, the metropolitan council is no longer authorized to enact an ordinance to impose a privilege tax pursuant to this subsection (b), and any privilege tax approved in accordance with this subsection (b) prior to July 1, 2023, is deemed repealed on such date.

(B) This subdivision (b)(4) does not require the metropolitan council to adopt an ordinance to repeal a privilege tax authorized prior to July 1, 2023.

(C) This subdivision (b)(4) does not absolve a taxpayer of liability for a privilege tax duly imposed by this subsection (b) prior to July 1, 2023.

SECTION 2. Tennessee Code Annotated, Section 7-4-110(b), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) Beginning July 1, 2023, the proceeds from the tax authorized to be levied pursuant to this chapter, other than the tax described in § 7-4-102(c), must be retained by the metropolitan government and distributed as follows:

(A) One third (1/3) must be used for direct promotion of tourism;

(B) One third (1/3) must be used for tourist-related activities; and

(C) One third (1/3) must be deposited in the general fund of the metropolitan government.

SECTION 3. Tennessee Code Annotated, Section 7-4-110(c), is amended by deleting the subsection.

SECTION 4. Tennessee Code Annotated, Section 7-4-110(d), is amended by deleting the subsection and substituting instead:

(d) The proceeds from the tax authorized to be levied in § 7-4-102(a)(2) must be retained by the metropolitan government and used solely for the direct promotion of tourism.

SECTION 5. Tennessee Code Annotated, Section 7-4-202, is amended by adding the following as a new subsection (f):

(1) Beginning July 1, 2023, the metropolitan council is no longer authorized to enact an ordinance to impose a privilege tax pursuant to subsection (a), and any privilege tax approved in accordance with subsection (a) prior to July 1, 2023, is deemed repealed on such date.

(2) This subsection (f) does not require the metropolitan council to adopt an ordinance to repeal a privilege tax authorized prior to July 1, 2023.

(3) This subsection (f) does not absolve a taxpayer of liability for privilege tax duly imposed by subsection (a) prior to July 1, 2023.

SECTION 6. Tennessee Code Annotated, Section 7-4-203, is amended by adding the following as a new subsection (f):

(1) Beginning July 1, 2023, the metropolitan council is no longer authorized to enact an ordinance to impose a privilege tax pursuant this section, and any privilege tax approved in accordance with this section prior to July 1, 2023, is deemed repealed on such date.

(2) This subsection (f) does not require the metropolitan council to adopt an ordinance to repeal a privilege tax authorized prior to July 1, 2023.

(3) This subsection (f) does not absolve a taxpayer of liability for privilege tax duly imposed by this section prior to July 1, 2023.

SECTION 7. Tennessee Code Annotated, Section 7-53-101(15)(B)(i), is amended by deleting the language ", including any conference or convention center facilities related to the hotel,".

SECTION 8. Tennessee Code Annotated, Section 7-88-103(7)(A)(i)(b), is amended by deleting the subdivision.

SECTION 9. Tennessee Code Annotated, Section 7-88-117, is amended by adding the following as a new subsection (c):

(1) Beginning July 1, 2023, the metropolitan government is no longer authorized to enact an ordinance to impose a fee pursuant to this section, and any fee approved in accordance with this section prior to July 1, 2023, is deemed repealed on such date.

(2) This subsection (c) does not require the metropolitan government to adopt an ordinance to repeal a fee authorized prior to July 1, 2023.

(3) This subsection (c) does not absolve a taxpayer of liability for a fee duly imposed by this section prior to July 1, 2023.

SECTION 10. Tennessee Code Annotated, Section 67-6-501, is amended by deleting subsection (h).

SECTION 11. Tennessee Code Annotated, Section 67-4-1908, is amended by adding the following as a new subsection (e):

(1) Beginning July 1, 2023, the metropolitan council is no longer authorized to enact an ordinance to impose a surcharge or tax pursuant to this section, and any

surcharge or tax approved in accordance with this section prior to July 1, 2023, is deemed repealed on such date.

(2) This subsection (e) does not require the metropolitan council to adopt an ordinance to repeal a surcharge or tax authorized prior to July 1, 2023.

(3) This subsection (e) does not absolve a taxpayer of liability for a surcharge or tax duly imposed by this section prior to July 1, 2023.

SECTION 12. Tennessee Code Annotated, Section 67-6-103(d)(1)(E)(i), is amended by deleting the last sentence and substituting instead:

The apportionment and distribution must begin at the time that the convention center begins operations and must cease on June 30, 2023.

SECTION 13. Tennessee Code Annotated, Section 67-6-103(d)(1)(E)(ii), is amended by deleting the second sentence and substituting instead:

The apportionment and distribution must begin at the time that the convention center begins operations and must cease on June 30, 2023.

SECTION 14. Tennessee Code Annotated, Section 67-6-103(d)(1)(E)(iii), is amended by deleting the second sentence and substituting instead:

The apportionment and distribution must begin at the time that the significant capital improvement program is substantially completed and must cease on June 30, 2023.

SECTION 15. Sections 12 through 14 of this act take effect upon becoming a law, the public welfare requiring it. All remaining sections of this act take effect July 1, 2023, the public welfare requiring it.