

HOUSE BILL 2371

By Carter

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 51 and Title 6, Chapter 58, relative to annexation.

WHEREAS, state law currently establishes four (4) methods of annexation:

1. Annexation by ordinance upon the municipality's own initiative, popularly known as "forced annexation," authorized by Tennessee Code Annotated, § 6-51-102(a)(1);
2. Annexation by ordinance when petitioned by a majority of the residents and property owners of the affected territory, popularly known as "consensual annexation," authorized by Tennessee Code Annotated, § 6-51-102(a)(1);
3. Annexation by resolution upon the municipality's own initiative, popularly known as "annexation by referendum," authorized by Tennessee Code Annotated, §§ 6-51-104(a) and 105; and
4. Annexation by resolution when petitioned by interested persons, also popularly known as "annexation by referendum," authorized by Tennessee Code Annotated, §§ 6-51-104(a) and 105; and

WHEREAS, Tennessee is one (1) of only three (3) states allowing "forced annexation;"
and

WHEREAS, as introduced, this bill abolishes "forced annexation" but does not, in any way, modify state laws authorizing the other three (3) methods of annexation; now, therefore,

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

SECTION 1. This act shall be known and may be cited as the "End of Forced Annexation in Tennessee Act".

SECTION 2. Tennessee Code Annotated, Section 6-51-102(a)(1), is amended by deleting the language "or upon its own initiative when it appears that the prosperity of such municipality and territory will be materially retarded and the safety and welfare of the inhabitants and property endangered,".

SECTION 3. Tennessee Code Annotated, Section 6-51-102(a)(3), is amended by deleting the subdivision in its entirety.

SECTION 4. Tennessee Code Annotated, Section 6-51-122, is amended by deleting the section in its entirety.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.