

HOUSE BILL 2429

By Cobb J

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

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

SECTION 1. Tennessee Code Annotated, Section 6-51-102(a)(1), is amended by inserting the language “, in accordance with subdivision (3),” between the language “or upon its own initiative” and the language “when it appears”.

SECTION 2. Tennessee Code Annotated, Section 6-51-102(a), is amended by adding the following language as a new subdivision (3):

(3) If the proposal to extend the corporate limits by the annexation of territory adjoining the existing boundaries of a municipality is proposed by the municipality upon its own initiative by ordinance, the ordinance shall not become operative until an election is held at the expense of the proposing municipality for approval or disapproval of such annexation by the qualified voters who reside in the territory proposed for annexation. The operation of the ordinance shall be subject to approval of the voters who reside in such territory. The county election commission shall hold an election thereon, providing options to vote “For” or “Against” the ordinance, not less than forty-five (45) days nor more than sixty (60) days after the receipt of a certified copy of such ordinance, and a majority vote of those voting in the election shall determine whether the ordinance is to be operative. A vote “For” the ordinance shall be a vote “For Annexation” and a vote “Against” the ordinance shall be a vote “Against Annexation.” If the vote is for the ordinance, the ordinance shall become operative thirty (30) days after the date that the county election commission makes its official canvass of the election returns. If the

ordinance is rejected, all relevant provisions in this chapter shall apply to the question of annexation in such county.

SECTION 3. Tennessee Code Annotated, Section 6-58-111, is amended by deleting that last sentence of subsection (a) and substituting instead the following:

Within a municipality's approved urban growth boundaries, a municipality may use any of the methods in chapter 51 of this title to annex territory.

SECTION 4. Tennessee Code Annotated, Section 6-58-111, is amended by deleting subsection (b) and by substituting instead the following:

(b) In any such action, the action shall be tried by the circuit court judge or chancellor with or without a jury.

SECTION 5. This act shall take effect upon becoming a law and shall apply to any pending or future actions involving annexation, the public welfare requiring it.