

SENATE BILL 665

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 67,  
Chapter 4, Part 20, relative to investments in  
certified historic structures.

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

SECTION 1. Tennessee Code Annotated, Section 67-4-2008(a), is amended by adding  
the following new subdivision:

(17)

(A)

(i) Any qualified low-income community historic structure owner;

(ii) Any qualified low-income community historic structure lessee;

or

(iii) Any entity that directly or indirectly owns an interest in a  
qualified low-income community historic structure owner, a qualified low-  
income community historic structure lessee, or both, and that has no  
business operations or assets other than:

(a) Its investment in the qualified low-income community  
historic structure owner, the qualified low-income community  
historic structure lessee, or both;

(b) Business operations and assets incidental to its  
investment in the qualified low-income community historic  
structure owner, the qualified low-income community historic  
structure lessee, or both; and

(c) De minimis other operations and assets;

(B) For purposes of this subdivision (a)(17):

(i) “Qualified low-income community historic structure” means a “certified historic structure,” as defined in § 47 of the Internal Revenue Code (26 U.S.C. § 47), together with any associated contiguous real estate, located in a “low-income community,” as defined in § 45D of the Internal Revenue Code (26 U.S.C. § 45D), and with respect to which more than one hundred million dollars (\$100,000,000) of “qualified rehabilitation expenditures,” as defined in § 47 of the Internal Revenue Code (26 U.S.C. § 47), are incurred after January 1, 2015;

(ii) “Qualified low-income community historic structure lessee” means a limited liability company that leases or subleases substantially all of a qualified low-income community historic structure and that has no business operations or assets other than:

(a) Its lease or sublease of the qualified low-income community historic structure;

(b) Operations and assets incidental to leasing and subleasing of the qualified low-income community historic structure; and

(c) De minimis other operations and assets;

(iii) “Qualified low-income community historic structure owner” means a limited liability company that owns a qualified low-income community historic structure and that has no business operations or assets other than:

(a) Its investment in the qualified low-income community historic structure;

(b) Business operations and assets incidental to the ownership, financing, and leasing of the qualified low-income community historic structure; and

(c) De minimis other operations and assets; and

(iv) Any references to the Internal Revenue Code in this subdivision (a)(17) means the Internal Revenue Code in effect on January 1, 2015.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to tax periods ending on or after July 1, 2015.