

SENATE BILL 766

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 67,
Chapter 5, relative to taxation of residential
property based on tree density.

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

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 5, Part 6, is amended by
adding the following as a new section:

(a) The general assembly finds that:

(1) Tree density on residential property provides communal benefits,
including community-wide improvements in air quality, water quality, stormwater
retention, urban heat island reduction, energy use reduction, and aesthetic
improvement; and

(2) The assessment of residential property for individual property owners
who agree to protect certain trees on their property must reflect the current use
valuation of the property and the restrictions imposed with respect to the
property.

(b) Tree density is a factor that is to be considered in the determination of the
assessed value of residential property. The determination of the assessed value of
residential property based on the volume of trees shall result in a diminished or lower
value. If the local regulations of the county or municipality in which the property is
located penalize or prohibit tree removal, then the local regulations are considered a
land-use restriction and a limitation on the current use valuation of the property.

(c) This section applies to any county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

SECTION 2. This act shall take effect January 1, 2020, the public welfare requiring it, and shall apply to taxation of residential property containing trees for tax year 2020 and tax years thereafter.