

SENATE BILL 767

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 6,
Chapter 51, Part 2, relative to deannexation.

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

SECTION 1. Tennessee Code Annotated, Section 6-51-201(a), is amended by designating the existing language as subdivision (a)(1) and adding the following language:

(2)

(A) Any incorporated city or town, whether it was incorporated by general or special act, may contract its limits within a territory by ordinance; provided, that the incorporated city or town:

(i) Receives a petition signed by not less than seventy-five percent (75%) of the registered voters residing within the area to be deannexed;

(ii) Holds no outstanding debt as a result of the annexation of the territory; and

(iii) Provides no services within the area to be deannexed in addition to the services previously received by the residents prior to the annexation of the territory.

(B) If a petition is filed in accordance with this subdivision (a)(2), then a referendum shall be held at the next general election to ascertain the will of the voters residing in the area that the city proposes to deannex. The ballot shall provide a place where voters may vote for or against deannexation by the city. If a majority of those voting in the referendum fail to vote for the deannexation, then the ordinance shall be void and the matter may not be considered again for two

(2) years. If a majority vote for deannexation, then the ordinance shall become effective upon certification of the result of the referendum.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.