



State of Tennessee

PUBLIC CHAPTER NO. 364

HOUSE BILL NO. 864

By Representatives Crawford, Freeman, Williams, Moody

Substituted for: Senate Bill No. 832

By Senator Lundberg

AN ACT to amend Tennessee Code Annotated, Title 2; Title 5; Title 6 and Title 7, relative to local government.

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

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 2, is amended by adding the following as a new section:

7-2-109. Required votes for improvements to public facilities.


The general assembly encourages the improvement of public property and facilities, which can include the use of public-private partnerships. Therefore, notwithstanding the provisions of another law to the contrary, a metropolitan government ordinance, resolution, or charter provision that requires a supermajority vote of the local legislative body in order to make improvements to, renovations to, or the demolition and replacement of existing facilities owned by the metropolitan government when such facilities are to be used for substantially the same use and purpose as the use prior to improvement, renovation, or demolition and replacement is declared to be contrary to public policy and is void. Rather, the voting requirement for improvements, renovations, or the demolition and replacement of existing facilities owned by the metropolitan government that are to be used for substantially the same use as the use prior to improvement, renovation, or demolition and replacement, including the lease of the property to a private entity for the purpose of making the improvement, renovation, or demolition and replacement, or operation of the facility, must be the same voting requirement applicable to ordinances of the legislative body in general.

SECTION 2. The heading in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 17, 2023



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 5th day of May 2023



BILL LEE, GOVERNOR