

SENATE BILL 1794

By Powers

AN ACT to amend Tennessee Code Annotated, Title 67,  
Chapter 6, relative to sales and use taxes.

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

SECTION 1. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following as a new subsection:

( )

(1) Notwithstanding the allocations provided for in subsection (a), if a new public parking garage is to be constructed in a county in which there is a population in excess of one hundred fifty thousand (150,000) in accordance with the 2010 federal census or the most recent subsequent census, and in which there is located, in whole or in part, a military base with enlisted active duty personnel in excess of twenty thousand (20,000) as of December 31, 2018, then an amount must be apportioned and distributed to the ownership entity that is responsible for the retirement of all or a portion of the debt on such parking garage equal to the amount of state and local sales and use tax revenue, including any portion of local sales taxes that otherwise would be allocated for school purposes, from the sale of food and drink, lodging, parking, and other authorized goods or products sold on the premises on the block bounded by College Street, N 1st Street, Main Street and N Spring Street. Such tax revenues must be applied to any operating expenses and debt service related to the parking garage, including maintenance and improvements, and this apportionment and distribution must continue until all debt, including any

refinancing debt, relating to the parking garage is retired. For purposes of this subdivision ( ) (1), a parking garage must include the parking facility and must also include any and all ancillary facilities and infrastructure such as utilities and offsite improvements adjacent to the parking garage premises.

(2) Notwithstanding subdivision ( ) (1) to the contrary, no portion of the revenue derived from the increase in the rate of sales and use tax allocated to educational purposes pursuant to chapter 529, § 9 of the Public Acts of 1992, and no portion of the revenue derived from the increase in the rate of sales and use tax from six percent (6%) to seven percent (7%) contained in chapter 856, § 4 of the Public Acts of 2002 shall be apportioned and distributed pursuant to subdivision ( ) (1). The revenue must continue to be allocated as provided in chapter 529 of the Public Acts of 1992 and chapter 856 of the Public Acts of 2002, respectively.

SECTION 2. Tennessee Code Annotated, Section 67-6-103(s)(1), is amended by deleting the language "parking charges," and by deleting the language "and shall also include any and all ancillary facilities such as parking facilities adjacent to the facility in which events are held".

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