

SENATE BILL 2743

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 20; Title 21; Title 27;
Title 28 and Title 29, relative to the protection of
private property rights.

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

SECTION 1. Tennessee Code Annotated, Section 4-1-422, is amended by adding the following new subsections:

(d) As part of a political subdivision's annual audit, the executive of the political subdivision or the governing body of the political subdivision shall present a written attestation to the comptroller of the treasury certifying that the political subdivision has not sought or received a grant in intentional pursuit of a policy described under subsection (b).

(e)

(1) An individual who believes that a political subdivision has violated subsection (b) or (c) may bring a private cause of action in a court of competent jurisdiction.

(2) A court shall award court costs and fees, including reasonable attorneys' fees, to the prevailing party in an action brought pursuant to this subsection (e). In addition, the court may award the following remedies to a plaintiff who prevails in an action brought pursuant to this subsection (e):

(A) Actual damages; and

(B) Punitive damages.

SECTION 2. This act takes effect July 1, 2024, the public welfare requiring it.