

SENATE BILL 1386

By Watson

AN ACT to amend Tennessee Code Annotated, Section 6-51-201, relative to deannexation.

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

SECTION 1. Tennessee Code Annotated, Section 6-51-201(c)(1), is amended by deleting the subdivision and substituting instead:

(1) Owners of real property used primarily for agricultural purposes who reside in a territory previously annexed by ordinance that was not annexed through a referendum or a request of the property owner may petition the municipality to deannex such property, if:

(A) The deannexation of the property does not create an area of unincorporated territory that is completely surrounded by municipal boundaries, except for such real property that is under a permanent conservation easement; and

(B) The owner of some or all of the property at the time the petition is made is:

(i) The same owner or owners as when the property was annexed;

(ii) A direct descendant of the person who owned the property at the time of annexation. As used in this subdivision (c)(1)(B)(ii), "direct descendant" means a child, grandchild, or sibling; or

(iii) A business in which the majority ownership is held by individuals who qualify under subdivision (c)(1)(B)(i) or (c)(1)(B)(ii).

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