STATE OF TENNESSEE

PUBLIC CHAPTER NO. 374

SENATE BILL NO. 169

By Ketron

Substituted for: House Bill No. 309

By Sargent, McDonald, Kevin Brooks

AN ACT to amend Tennessee Code Annotated, Section 6-58-104(d), relative to the amendment of comprehensive growth plans.

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

SECTION 1. Tennessee Code Annotated, Section 6-58-104(d)(1), is amended by deleting that subdivision in its entirety and by substituting instead the following:

(1) After the local government planning advisory committee has approved the county's initial growth plan, the plan shall stay in effect for not less than three (3) years absent a showing of extraordinary circumstances. After the initial three (3) year period, a growth plan may be amended as often as deemed necessary by the county and cities. Any time after the expiration of the initial three (3) year period, the mayor of any municipality in the county or the county mayor or county executive may propose an amendment to the growth plan by filing notice with the county mayor or county executive and with the mayor of each municipality in the county. Upon receipt of such notice, the county mayor or county executive shall take appropriate action to reconvene or reestablish the coordinating committee within sixty (60) days of the receipt of the notice. Except as provided for in this subdivision, the procedures for amending the growth plan shall be the same as the procedures in this section for establishing the original plan. The burden of proving the reasonableness and necessity of the proposed amendment shall be upon the party proposing the change. It is the duty of the coordinating committee to submit the proposed amendment with its recommendation either for or against the amendment to the county legislative body and to the governing body of each municipality within the county for their approval or disapproval within six (6) months of the date of the coordinating committee's first meeting on the proposed amendment. After the proposed amendment is approved by the county legislative body and the governing body of each municipality and by the local government planning advisory committee, the amendment shall become part of the county's growth plan.

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

PASSED: May 26, 2009

RON RAMSEY
SPEAKER OF THE SENATE

KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 9th day of June 2009

PHIL BREDESEN, GOVERNOR