



# State of Tennessee

## PUBLIC CHAPTER NO. 845

### HOUSE BILL NO. 1556

By Representatives McCormick, Kevin Brooks, Howell

Substituted for: Senate Bill No. 2560

By Senators Norris, Overbey, Yager, Roberts, Stevens

AN ACT to amend Tennessee Code Annotated, Title 11, Chapter 11, relative to the Tennessee Adventure Tourism and Rural Development Act.

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

SECTION 1. Tennessee Code Annotated, Section 11-11-202, is amended by deleting the last sentence and substituting instead the following:

The department of environment and conservation and the department of tourist development are authorized to promulgate rules to effectuate the purposes of this part.

SECTION 2. Tennessee Code Annotated, Section 11-11-203, is amended by deleting subdivisions (4) and (6) and substituting instead the following:

(4) "Best interests of the state" means a determination by the commissioner of revenue, with approval by the commissioner of tourist development, that:

(A) The qualified business enterprise or enterprises made within or adjacent to an adventure tourism district is a result of the special allocation and tax credits provided for in § 67-4-2109(b)(2)(C);

(B) The adventure tourism district is a result of such qualified business enterprise or enterprises; and

(C) The zone is not structured to create a competitive advantage for one business;

(6) "Department" means the department of tourist development;

SECTION 3. Tennessee Code Annotated, Section 11-11-204, is amended by deleting subsections (c) and (d) and substituting instead the following:

(c) Upon a local governing body or bodies authorizing the creation of an adventure tourism district, the adventure tourism district plan shall be submitted to the department of tourist development and the department of revenue for joint approval as an adventure tourism district. Such approval shall be granted if the commissioner of tourist development and the commissioner of revenue determine that the allocation of franchise and excise tax credits are in the best interests of the state.

(d) Following the approval of the department of tourist development and the department of revenue for an adventure tourism district pursuant to subsection (c), a local governing body may submit the adventure tourism district plan to:

(1) The department of revenue for approval of tax credits pursuant to § 67-4-2109; and

(2) The department of tourist development for promotional support through use of the department's existing resources.

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SECTION 4. Tennessee Code Annotated, Section 11-11-206, is amended by deleting the section and substituting instead the following:

The department of environment and conservation and the department of tourist development may work together to provide assistance as deemed appropriate by the departments to encourage the development of adventure tourism within those regions of the state designated as suitable for such activities and where persistent high unemployment exists.

SECTION 5. Any certification for an adventure tourism district that was issued by the department of economic and community development, and that was in effect on July 1, 2015, shall not expire until the earlier of the date that the department of tourist development issues a new certification or approval for such district or one (1) year following the date that the department of tourist development promulgates rules or adopts official guidance concerning the process whereby local governments may apply for certification or approval for an adventure tourism district.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 6, 2016



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 19th day of April 2016



BILL HASLAM, GOVERNOR