

2016 End of Session Report

The following are bills that were lobbied and monitored by the Tennessee Legislative Action Committee (LAC) this year.

Important Legislation that Passed

Taxes, Real Property [HB 1826/SB 2604](#) – Authorizes a county mayor to sell land held by the county due to delinquent taxes during the redemption period under certain conditions; reduces the amount of time a tax must be due on abandoned property before the tax lien can be enforced from two years to one year; makes other related changes. **This bill was signed into law.**

Priority Lien [HB 2401/SB 2397](#) – Both the House and the Senate of the Tennessee General assembly have passed this bill that will change priority lien for condominiums from a true priority lien to a payment priority. The LAC had a battle trying to stop the bill, however the banking lobby was also in full force. CAI's Vice President of Government Affairs, Dawn Bauman, testified in front of the Tennessee Senate Judiciary Committee against the bill. Despite efforts to ask Governor Haslam to veto the bill, **the bill was signed into law.**

Other Legislation that Passed

Real Property [HB 1932/SB 2300](#) – Expands the applicability of the Neighborhood Preservation Act to certain occupied buildings and residential properties by authorizing a person to bring a civil action against the owner of an occupied building or property that is not properly maintained or that fails to comply with certain ordinances or regulations. **This bill was signed into law.**

Water Authorities [HB 2119/SB 2370](#) – Prohibits an authority in Hamilton County from requiring a property owner who leases residential property, the property owner's agent, or a subsequent tenant of the property to pay or to guarantee the payment of charges, penalties, or other fees owed to the authority that were incurred by a former tenant of such property owner or agent; establishes other related requirements. **This bill was signed into law.**

Taxes, Personal Property [HB 2343/SB 1949](#) – Requires the county mayor of each county, after taking charge of lands bought by the county at delinquent tax sales, to evaluate the property, within 90 to 120 days, and determine whether the value of the property or amount of money the county is likely to receive if the county sold the property exceeds the financial or environmental risks associated with the property; revises related provisions and establishes related requirements. **This bill was signed into law.**

Legislation that Failed or was Sent to Summer Study

Personal Property [HB 185/SB 459](#) – Prohibits the state or any political subdivision from adopting or implementing any policy recommendation that intentionally or inadvertently infringes upon or restricts private property rights without due process of law; repeals any law in conflict with the Act and prohibits contracts that are in conflict with the Act from being entered into or renewed on or after the effective date of the Act. *This bill was taken off notice in the House Civil Justice Subcommittee. The Senate referred this bill to the General Subcommittee of the Senate Judiciary Committee.*

Inheritance Laws HB 236/SB 306 – Enacts the Uniform Real Property Transfer on Death Act. *This bill was taken off notice in the House Civil Justice Subcommittee. The Senate referred this bill to the Senate Judiciary Committee.*

Deeds HB 479/SB 1047 – Requires that a deed for the conveyance of real property be prepared and filed by a licensed attorney or the owner of the property; requires the county register to verify a deed is properly prepared before it is registered and to note the verification on the deed. *The house referred this bill to the House Calendar and Rules Committee. This bill failed in the Senate Judiciary Committee.*

Planning, Public HB 525/SB 450 – Makes the Neighborhood Preservation Act applicable to Hamilton County. *The House referred this bill to the House Local Government Subcommittee. This bill was withdrawn in the Senate.*

Tennessee Homeowners Association Act HB 610/SB 405 – The Tennessee LAC has been working with legislators and stakeholders to establish a HOA Act, this year's efforts led to the bill being sent to summer study by the House. *The Senate referred this bill to the Senate General Subcommittee of the Senate Commerce and Labor Committee.*

Taxes, Real Property HB 943/SB 909 – Makes governmental entity immune from liability for all dues, fees, and assessments for all parcels purchased at tax sales. *The House referred this bill to the House Local Government Subcommittee. The Senate referred this bill to the Senate General Subcommittee of the Senate Judiciary Committee.*

Taxes, Ad Valorem HB 1319/SB 1347 – Authorizes the 10-day notice mailed to a property owner prior to seizure of personal property subject to delinquent taxes, to be done by first class, registered, or certified mail. *The House referred this bill to the House Local Government Subcommittee. The Senate referred this bill to the Senate State and Local Government Committee.*

Short-term Rentals HB 1673/SB 1885 – Clarifies that certain requirements that apply to hotels and places of public accommodation do not apply to short-term rental units. *This bill was taken off notice in the House Business and Utilities Subcommittee. The Senate deferred this bill to summer study.*

Real Property HB 1798/SB 1916 – Specifies that any provision of the Tennessee Condominium Act of 2008 that is in conflict with a provision of the Horizontal Property Act shall control. *This bill was taken off notice in the House Business and Utilities Subcommittee. This bill was withdrawn in the Senate.*

Real Property HB 1959/SB 2348 – Requires a seller to disclose if residential property is located on a private road. *The House referred this bill to the House Business and Utilities Subcommittee. The Senate referred this bill to the Senate Commerce and Labor Committee.*

Energy HB 2084/SB 2352 – Enacts the "Property Assessed Clean Energy Act. *The House referred this bill the summer study. The Senate referred this bill to the Senate Agriculture and Natural Resources Committee.*

Real Property HB 2384/SB 1908 – Creates various causes of action for members of a homeowners' association against a homeowners' association; authorizes a declarant of a homeowners' association to retain full control of a project until its completion. **This bill was deferred to summer study.**

Real Property SB 1079 – Requires a homeowner's association to provide certain records to a unit owner upon written request. *The Senate referred this bill to the Senate Commerce and Labor Committee.*