



# State of Tennessee

## PUBLIC CHAPTER NO. 691

### SENATE BILL NO. 2150

By Johnson

Substituted for: House Bill No. 2249

By McCalmon

AN ACT to amend Tennessee Code Annotated, Title 13 and Title 66, relative to property.

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

SECTION 1. Tennessee Code Annotated, Section 66-27-701, is amended by adding the following as a new subdivision:

( ) "Nonessential amenity":

(A) Means an amenity that is not essential to the daily regular operation of the community, including a pool, tennis court, or club house; and

(B) Does not include:

(i) A road, utility, or other amenity that is necessary to the daily regular operation of a community; or

(ii) An amenity described in the declaration but not yet built;

SECTION 2. Tennessee Code Annotated, Section 66-27-705, is amended by deleting the section and substituting:

Sections 66-27-702, 66-27-703, and 66-27-704 apply to declaration amendments that are enacted on or after May 1, 2021.

SECTION 3. Tennessee Code Annotated, Title 66, Chapter 27, Part 7, is amended by adding the following as a new section:

#### **66-27-706.**

(a) A homeowners' association seeking to levy a special assessment on its members for a nonessential amenity must:

(1) Pass the assessment by at least a two-thirds (2/3) majority vote of the total members in the homeowners' association; and

(2) Provide members with financing or a payment plan over a defined period of time.

(b) If a member of the homeowners' association fails to pay a special assessment for a nonessential amenity, then the homeowners' association shall not take a foreclosure action against the property or the member for failure to pay the special assessment.

SECTION 4. This act takes effect July 1, 2024, the public welfare requiring it.

SENATE BILL NO. 2150

PASSED: April 1, 2024

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 11<sup>th</sup> day of April 2024

  
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BILL LEE, GOVERNOR