State of Tennessee

PUBLIC CHAPTER NO. 1090

SENATE BILL NO. 1771

By Lowe, Bowling, Gardenhire

Substituted for: House Bill No. 1720

By Tim Hicks, Cochran, Renea Jones, Lamberth, Sparks, Howell, Russell

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 13, relative to zoning outside of municipal boundaries.

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

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 7, Part 3, is amended by adding the following as a new section:

(a) Notwithstanding this part, a municipality or regional planning commission shall not adopt a zoning plan, ordinance, rule, or regional zoning ordinance, as applicable, exercising jurisdiction over zoning, including development, infrastructure, or land use, outside of the boundaries of a municipality.

(b) This section is effective in a county upon the adoption of a resolution by a majority vote of the county legislative body. Upon adoption of such resolution, an existing zoning plan, ordinance, rule, or regional zoning ordinance adopted under this part exercising jurisdiction over zoning, including development, infrastructure, or land use, outside of the boundaries of a municipality is void and unenforceable. The county and municipality may enter into an interlocal or other agreement for the completion of, or for the process of winding down, development, infrastructure, or land use obligations in progress prior to the adoption of such resolution. A developer may be a party to such an agreement with the consent of the county and municipal governing bodies.

(c) This section:

(1) Applies to counties with a population of less than three hundred forty-one thousand five hundred (341,500), according to the 2020 or a subsequent federal census; and

(2) Does not apply to a county with a metropolitan form of government.

(d) This section does not prohibit a county or municipality from entering into an interlocal agreement for any lawful purpose under state law.

(e)(1) In a county that has adopted this section, if a preliminary plat, final plat, site plan, or building permit application is submitted for property outside a municipal boundary but within the municipality's urban growth boundary, the person filing the plat, plan, or application shall include a declaration of whether the person seeks to have the property annexed by the municipality.

(2) If the person seeks annexation, the person shall develop and build the property to the standards that would be imposed under the applicable municipal requirements.

(3) If the person does not seek annexation, the county shall record such declaration with the register of deeds, and such property is ineligible for annexation until the person or a future property owner enters into an agreement with the municipality binding the person and any future owners of such property to pay a

special assessment to bring the property to municipal standards for infrastructure. Such agreement must be recorded with the register of deeds.

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

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PASSED: April 22, 2026

RANDY MCNALLY
SPEAKER OF THE SENATE

CAMERON SEXTON, *SPEAKER*
HOUSE OF REPRESENTATIVES

APPROVED this 22nd **day of** May **2026**

BILL LEE, *GOVERNOR*