



State of Tennessee
PUBLIC CHAPTER NO. 414

SENATE BILL NO. 1042

By Kelsey

Substituted for: House Bill No. 1054

By Faison

AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 23, Part 1, relative to the Tennessee Housing Development Agency Act.

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

SECTION 1. Tennessee Code Annotated, Section 13-23-107(a)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(a)(1) The governor shall appoint the following members to the board of directors for the agency, who shall be citizens of the state and shall not hold public office: a total of six (6) persons representing the following groups, with no more than one (1) person representing each group: retail building material supply; manufactured housing; home building; mortgage banking; licensed real estate brokers; local public housing authority; local government; and a qualifying not-for-profit corporation. After June 30, 2013, the governor shall appoint two (2) persons from the public at large who are knowledgeable about the problems about inadequate housing conditions in the state. Upon the first term expiration for one (1) of the public at large members, that public at large position shall expire, without reappointment, at the end of the member's term. After this term expiration and thereafter, the governor shall appoint one (1) person from the public at large who is knowledgeable about the problems about inadequate housing conditions in the state. When making appointments, the governor shall give due consideration to geographic distribution of the members of the agency to ensure that all parts of the state are adequately represented. In making appointments to the agency board of directors, the governor shall strive to ensure that at least one (1) person appointed to serve on the board is sixty (60) years of age or older and that at least one (1) person appointed to serve on the board is a member of a racial minority.

SECTION 2. Tennessee Code Annotated, Section 13-23-112(h)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(h)(1) There is hereby created an audit and budget committee of the agency, which shall be composed of the following: the chair of the agency; the vice chair of the agency; the state treasurer; the secretary of state; and two (2) members appointed annually by the chair from among the appointed members of the board. The state treasurer shall serve as the chair of the audit and budget committee in even years and the secretary of state shall serve as the chair of the audit and budget committee in odd years beginning in 2013, and alternating thereafter. The agency's director of internal audit shall serve as the secretary for the committee. The agency's director of internal audit shall serve at the pleasure of the committee. The committee has the authority to employ, terminate and establish the salary of the director of internal audit.

SECTION 3. Tennessee Code Annotated, Section 13-23-107, is further amended by adding the following language as a new, appropriately designated subsection:

() Other individuals may be directors of the agency as may be required by applicable federal law, regulation or agreement, who shall be eligible to vote on matters before the agency to the extent required by federal law, regulation or agreement.

SECTION 4. Tennessee Code Annotated, Section 13-23-110, is amended by deleting this section in its entirety and substituting it instead with the following:

A majority of the members of the agency shall constitute a quorum, and the affirmative vote of eight (8) members at a meeting of the members duly called and held shall be necessary for any action taken by the membership of the agency. No vacancy in the membership of the agency shall impair the rights of a quorum to exercise all the rights and to perform all the duties of the agency. For the purposes of determining a quorum and the number of affirmative votes at a meeting, persons who have been delegated the right to vote in accordance with § 13-23-106 shall be considered members of the agency.

SECTION 5. The board members whose terms expire on June 30, 2013, shall continue to serve on the board after the effective date of this act, until the expiration of their terms.

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

SENATE BILL NO. 1042

PASSED: April 19, 2013

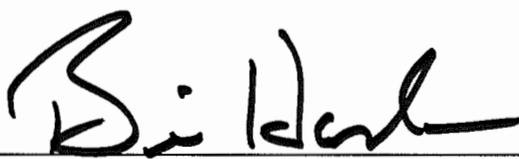


RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 16th day of May 2013



BILL HASLAM, GOVERNOR