



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2023-2159, **Version:** 1

A resolution increasing the maximum income limit for eligibility in the Property Tax Freeze Program that provides financial assistance to low-income elderly residents of Metropolitan Nashville-Davidson County beginning in Tax Year 2024.

WHEREAS, the Property Tax Freeze Act, Tenn. Code Ann. § 67-5-705 (the “Act”), permits the legislative body of a county or municipality to adopt a property tax freeze program that protects qualifying low-income elderly homeowners from rising property taxes by freezing the amounts of their annual tax bills to the amount of their taxes owed in the first year that they qualified for the program or the actual amount of their property taxes for that respective year, whichever is less; and,

WHEREAS, the Metropolitan County Council led the way by becoming the first county legislative body to adopt and establish a property tax freeze program for its residents in the State of Tennessee when it adopted RS2007-2080 on July 17, 2007; and,

WHEREAS, the Metropolitan County Council has shown commitment and steadfast leadership on this issue for almost two decades by being at the forefront in advocating for the General Assembly to increase the maximum income limits for eligibility in the property tax freeze program for low-income elderly residents by adopting RS2009-789 on May 19, 2009, and RS2020-352 on May 26, 2020; and,

WHEREAS, the General Assembly, led by the moral leadership of State Representative Harold M. Love, Jr., adopted SB871/HB366-codified as Public Chapter 271 of the Public Acts of the 113th General Assembly-that amended the Act to allow for an increase in the income eligibility for participants in the property tax freeze program to be \$60,000, for which the limit is currently \$47,750; and,

WHEREAS, amending the Act was done in recognition of the tremendously high spike in inflation experienced in Tennessee and across the country, as well as based on the significant increase in real estate values over the past ten years, and is meant to provide relief to Tennessee’s elderly residents who may struggle financially or operate on a fixed income; and,

WHEREAS, Public Chapter 271, that amends the Act effective on July 1, 2023, authorizes the Metropolitan County Council to adopt by resolution the increase to the maximum income eligibility of \$60,000 that will apply to qualifying property owners for their taxes owed starting in Tax Year 2024; and,

WHEREAS, the Metropolitan County Council now desires to fulfill a longstanding ambition and request of this body to expand the number of low-income elderly residents who are eligible to obtain assistance from the Property Tax Freeze Program by adopting the increased income eligibility requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. All persons who qualify for the Property Tax Freeze Program under the provisions of the Property Tax Freeze Act, Tenn. Code Ann. § 67-5-705, beginning in Tax Year 2024 and whose income does not exceed \$60,000.00 shall be eligible for participation in the program. This income limit shall be modified annually based on the adjustments of the Comptroller of the Treasury or other designated authority pursuant to the Act.

Section 2. The Trustee is authorized to establish such rules and procedures as she may deem necessary for the purposes of implementing such program.

Section 3. This resolution shall take effect on July 1, 2023, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution increases the maximum income limit for eligibility in the Property Tax Freeze Program that provides financial assistance to low-income elderly residents of Metropolitan Nashville-Davidson County beginning in tax year 2024.

The Property Tax Freeze Program was established and adopted by Metropolitan Council for Davidson County residents pursuant to state law via Resolution No. RS2007-2080 on July 17, 2007. The maximum income limit for eligibility in the Property Tax Freeze Program for low-income elderly residents was previously increased by the Council, as authorized by state law, pursuant to Resolutions No. RS2009-789 and RS2020-352.

This year, the Tennessee General Assembly enacted SB871/HB366, codified as Public Chapter 271 of the Public Acts of the 113th General Assembly, which amended state law to allow for an increase in the income eligibility for participants in the property tax freeze program from \$47,750, the current limit, to \$60,000. This resolution increases the maximum income limit for eligibility in the Property Tax Freeze Program in Davidson County to \$60,000.