

HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

RESOLUTION # 2020-12-687

**RESOLUTION TO INCREASE THE LOCAL OPTION SALES TAX IN
HARTSVILLE/TROUSDALE COUNTY FROM 2.25% TO 2.75% AND
REQUESTING THE HARTSVILLE/TROUSDALE COUNTY ELECTION COMMISSION TO
CONDUCT A REFERENDUM ON THE QUESTION AT THE AUGUST 6, 2020 ELECTION**

WHEREAS, the 1963 Local Option Revenue Act, codified at Tennessee Code Annotated, Section 67-6-701, et seq., provides that the Local Option Sales and Use Tax Rate may be increased up to two and three-fourths percent (2.75%) on the sale or use of personal property; and

WHEREAS, the 1963 Local Option Revenue Act permits counties, cities, and towns to levy a tax not to exceed, in total, two and three-fourths percent (2.75%) on all privileges exercised therein, subject to approval by a majority of citizens voting in a referendum on the question pursuant to Tennessee Code Annotated, Section 2-3-204; and

WHEREAS, Hartsville/Trousdale County presently levies a local sales tax of two and one-fourth percent (2.25%) leaving a margin of one-half cent (0.5%) for additional tax to be levied by a municipality or the County; and

WHEREAS, State law provides that upon receiving notice of a county's intent to increase the Local Option Sales and Use Tax, a County has 40 days from the effective date of the county's resolution to authorize a Referendum on the question of whether to instead increase the rate of the Local Option Sales and Use Tax on a County-wide basis, which 40 days does not preclude a later County Referendum on the subject, Tennessee Code Annotated, Section 67-6-703(b); and

WHEREAS, the Hartsville/Trousdale County Commission proposes that an increase in Local Option Sales Tax be levied by Hartsville/Trousdale County and to submit to the qualified voters of the County a Referendum at the August 6, 2020 election regarding this Resolution and subsequent tax increase.

NOW, THEREFORE, BE IT RESOLVED by the Hartsville/Trousdale County Commission that pursuant to Tennessee Code Annotated, Section 67-6-701, et seq., the Sales and Use Tax of Hartsville/Trousdale County is increased from 2.25% to 2.75% except where different Sales Tax Rates for particular goods and services are set by statute and are not subject to variation.

BE IT FURTHER RESOLVED, that pursuant to Tennessee Code Annotated, Section 67-6-706, the qualified voters of the County must approve this Resolution at a Referendum in order for it to become effective.

BE IT FURTHER RESOLVED, that the County Clerk shall, before May 5, 2020, submit a certified copy of this Resolution to the Hartsville/Trousdale County Election Commission with a request that the following question be placed on the ballot at the August 6, 2020, election:

Shall the Resolution of the Hartsville/Trousdale County Commission, increasing the County Sales Tax from 2.25% to 2.75%, except where the Sales Tax Rate is limited or modified by statute, be approved?

FOR the Resolution (YES): _____

AGAINST the Resolution (NO): _____

BE IT FURTHER RESOLVED, that if a majority of those qualified and voting in the Referendum required by Tennessee Code Annotated, Section 67-6-706, vote for the increase in the tax imposed by this Resolution, collection of the increased tax levied by this Resolution shall begin at the earliest date allowed by State law. If a majority of those qualified and voting in the Referendum vote against this Resolution, the increase in Sales Tax will not become effective.

BE IT FURTHER RESOLVED, as required at Tennessee Code Annotated, Section 67-6-710(d)(2), the Hartsville/Trousdale County Commission designates the Mayor as the officer against whom suit may be filed for the recovery of Sales Taxes illegally assessed or collected.

BE IT FURTHER RESOLVED, that the County Clerk shall furnish a certified copy of this Resolution to the State Department of Revenue in accordance with regulations prescribed by the Department.

BE IT FURTHER RESOLVED, that various portions of this Resolution are severable, and that defect in any part or sentence may be elided, and shall not affect the remaining parts or sentences of the Resolution.

BE IT FURTHER RESOLVED, that this Resolution shall take effect according to the Hartsville/Trousdale County Charter.


Recommended by the Budget and Finance Committee on April 20, 2020

Motion to approve:	<u>Shane Burton</u>	Roll Call Vote Virtual Mtg
Second motion:	<u>Gary Claridy</u>	YES <u>20</u> NO <u>0</u> ABSENT <u>0</u>

APPROVED AND ADOPTED ON APRIL 27, 2020

APPROVED:

ATTEST:



Dwight Jewell
 Commission Chair



Rita Crowder
 County Clerk