

2017 Tennessee Code
Title 12 - Public Property, Printing and
Contracts
Chapter 2 - Administration and
Disposition of State Property
Part 1 - General Provisions
§ 12-2-115. Approval of lease instrument
where state is lessee or lessor.

Universal Citation: TN Code § 12-2-115 (2017)

- (a) Notwithstanding any other law to the contrary, no lease of property to the state government or any agency, department, institution or office thereof shall be entered into unless the instrument of lease is first approved as to form and legality by the attorney general and reporter. This provision shall only apply to leases which are longer than five (5) years or if the consideration for any such lease amounts to more than one hundred fifty thousand dollars (\$150,000) per year.
- (b)
 - (1) If any proposed lease of property by or to the state government or any agency, department, institution or office thereof is longer than five (5) years or if the consideration for any such lease amounts to more than one hundred fifty thousand dollars (\$150,000) per year or such other amount as determined by the state building commission, it shall first be submitted to and approved by the state building commission.
 - (2) (A) With respect to any lease of property that is not submitted to and approved by the state building commission, the office of the state architect shall, subject to such exceptions as the commission may by its policies direct, post on its web site at a minimum the following information, as applicable, regarding each such lease:
 - (i) Name or names of lessor or lessors and lessee or lessees;
 - (ii) Lease description and purpose;
 - (iii) Lease term;
 - (iv) Rental rate, stated as total rent for the lease term, annual rent, and as a rent per square foot;
 - (v) Source or sources of funding;
 - (vi) Procurement method used to obtain the lease; and

- (vii) Any other information as directed by the commission.
 - (B) In addition to the above, the state architect shall post on the office's web site any changes to information posted in accordance with this subdivision (b)(2) as soon as practicable after the change is authorized.
 - (C) The state architect shall ensure that all information posted on the office's web site pursuant to this subsection (b) is set forth in a manner and format consistent with the policies and procedures of the commission.
- (c) No lease of property to the state government or any agency, department, institution or office thereof shall be valid unless the requirements of this section are met.
- (d) Notwithstanding the language in § 9-4-5113 to the contrary, leases of property to the state government or any agency, department, institution or office thereof, the total cost of which is less than an amount determined pursuant to policy established by the commissioner of finance and administration and approved by the state building commission, need not be certified, as indicated in § 9-4-5113, by the commissioner.