



HOUSE BILL 2649

By Crawford

AN ACT to amend Chapter 84 of the Private Acts of 1991; as amended by Chapter 162 of the Private Acts of 1994; Chapter 140 of the Private Acts of 1996; Chapter 132 of the Private Acts of 1998; Chapter 64 of the Private Acts of 2005; Chapter 2 of the Private Acts of 2009 and Chapter 44 of the Private Acts of 2022; and any other acts amendatory thereto, relative to the City of Bristol.

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

SECTION 1. Chapter 84 of the Private Acts of 1991, as amended by Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 44 of the Private Acts of 2022, and any other acts amendatory thereto, is amended by deleting Subsection 2-2(a) in its entirety and substituting the following:

(a) Following the initial election office five (5) city council members, and effective with the election held in November 2022, the election for such office shall be held on the first Tuesday in November in each even-numbered year thereafter as seats become vacant and terms expire, and this shall be the date for the general city election. Any qualified voter of the city may nominate a candidate for any seat, regardless of the voter's residential district. For the three (3) district seats, the candidate residing in each district receiving the largest number of votes from qualified voters of the city shall be declared to be elected as the council member from that district. For the two (2) non-district seats, the two (2) candidates receiving the largest number of votes from qualified voters of the city shall be declared to be elected to those seats. In order to stagger their terms, candidates elected from the councilmanic districts shall be elected at the same time and candidates elected to the at-large seats shall be elected at the same time. The terms of office for council members shall be four (4) years. All qualified voters of the city may vote for candidates for all of the seats notwithstanding the residency of the voter

within the city. Starting after the election held in November 2022, the term of each council member shall begin on the date of the next regular city council meeting in January following such council member's election. All council members shall be eligible for reelection.

SECTION 2. Chapter 84 of the Private Acts of 1991, as amended by Chapter 140 of the Private Acts of 1996, Chapter 64 of the Private Acts of 2005, and Chapter 2 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Subsection 6-2(a) in its entirety and substituting the following:

(a) Members of the board of education shall be residents of and elected by the qualified voters of the city in the same manner used to elect members of the city council, with one (1) member to reside in each of the three (3) districts provided in Section 2-1, and two (2) members to reside anywhere in the city. In order to stagger their terms, candidates elected to the three (3) district seats shall be elected at the same time, and candidates elected to the remaining two (2) seats shall be elected at the same time. Any qualified voter of the city may nominate a candidate for any seat, regardless of the voter's residential district. For the three (3) district seats, the candidate residing in each district receiving the largest number of votes from qualified voters of the city shall be declared to be elected as the member from that district, and for the two (2) non-district seats, the two (2) candidates receiving the largest number of votes from qualified voters of the city shall be declared to be elected. All qualified voters of the city may vote for candidates for all of the seats notwithstanding the residency of the voter within the city. The terms of office for members of the board of education shall be four (4) years. The term of each board member shall begin on January 1 after the election. All members shall be eligible for reelection.

SECTION 3. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting the language "seventeen (17) days" in Section 2-18 and substituting instead "seven (7) days".

SECTION 4. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting Section 2-19 and substituting instead:

All ordinances shall begin by an enacting clause, as follows: "Be it ordained by the City of Bristol, Tennessee," and shall, at the end thereof, contain the provision that:

"This ordinance shall take effect seven (7) days from and after its final passage, the welfare of the city requiring it.";

except that an emergency ordinance shall take effect immediately from and after its final passage, the welfare of the city requiring it; and provided, however, that nothing shall prevent the City Council from enacting an ordinance with a later effective date when such later effective date is in the best interests of the City. In such cases, the required language above shall be adjusted accordingly.

SECTION 5. Chapter 84 of the Private Acts of 1991, as amended by Chapter 162 of the Private Acts of 1994, and Chapter 44 of the Private Acts of 2022, and any other acts amendatory thereto, is amended by deleting Subsection 9-1(b) and substituting instead:

(b) Such recorder shall proceed at once, after assessment rolls are received from the State Division of Property Assessments, to collect such taxes. All taxes remaining unpaid after January 31 of the following year shall draw interest at a rate to be fixed from time to time by the governing body of the City of Bristol at no more than the maximum legal rate of interest until paid. A penalty of five (5) percent shall attach to all taxes remaining unpaid after March 31 of such following year. Notwithstanding the foregoing, unpaid taxes on property assessed by the Tennessee Public Service Commission shall not be subject to penalty or interest until after March 31 of said following year. The City of Bristol may by resolution or ordinance extend the time for the collection of such taxes without penalty and interest for a period not exceeding three (3) months. The City of Bristol may provide by ordinance or resolution adopted in connection with the levy of ad valorem real or personal property taxes for any year for a discount of two (2) percent of the tax currently due, if such taxes are paid on or before

November 1 of the year in which they are assessed and/or a discount of one (1) percent if paid after November 1, but before December 1 of the year in which such taxes are assessed; provided, that such discount shall not apply when all or any part of the amount of tax due is paid pursuant to Tennessee Code Annotated, Title 67, Chapter 5, Part 7, or the corresponding provisions of any future general laws of the State of Tennessee.

SECTION 6. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting Section 2-19 and substituting instead:

(a) The recorder of said city shall cause to be prepared, between January 1 and March 1, in the second year after taxes for any one (1) year are assessed, a list of all land and other property taxes due the city for the second year previous, setting forth the persons against whom said taxes are assessed as owner, the description of the property as assessed, the assessed value there at the original amount of said taxes, the amount delinquent, and the percent of penalties and interest accrued on said taxes as of the last day of February, following.

(b) Said list of delinquent taxes shall be certified by said recorder and shall be delivered to the city attorney on or before March 15, following, and it shall be the duty of said city attorney to institute suit for the collection of said taxes and/or the enforcement of the city's lien arising from the assessment of said taxes prior to April 1, following the date said certified list is delivered to said city attorney; provided, that nothing contained in this section shall be construed as limiting or affecting the right of the city or the city attorney to institute suit on any present or future delinquent taxes not filed within the time herein indicated.

SECTION 7. Chapter 84 of the Private Acts of 1991, as amended by Chapter 64 of the Private Acts of 2005, and any other acts amendatory thereto, is amended by deleting Section 4-1 and substituting instead:

(a) Except as herein otherwise provided, the executive and administrative powers, authority, and duties in the city shall be distributed into and among such departments, offices, and agencies as the city manager shall determine; provided, however, that to ensure the efficient operation and classification of city functions, there are hereby established the following departments:

- (1) Finance department;
- (2) Police department;
- (3) Fire department; and
- (4) Department of education.

(b) Except as otherwise provided by this Charter or by state law, the city manager shall determine the powers and duties to be performed by, and assign them to, the appropriate departments; shall prescribe the powers and duties of officers and employees; may assign particular officers and employees to one (1) or more of the departments; may require an officer or an employee to perform duty in two (2) or more departments; and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

SECTION 8. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by adding the following new subsection in Section 6-3:

(c) The board of education shall have the power to make rules and regulations for the discharge of its functions; provided, however, that the city recorder shall prescribe or cause to be prescribed the administrative procedures, internal controls, documentation requirements, audit coordination processes, and reporting formats and methods to be followed by said board in keeping its accounts and records, so long as such procedures are consistent with and do not conflict with the standardized system of financial accounting and reporting prescribed by the Commissioner of Education pursuant to Tennessee law.

SECTION 9. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by adding the following new sections in Chapter 6:

Sec. 6-5. State, county, and federal school funds; city recorder as treasurer of board.

In apportioning state, county, or federal funds, all apportioning bodies of the state, county, or federal agencies, shall apportion and pay over to the city recorder such portion of the state, county, or federal funds as by law is applicable and payable to the schools with the city limits of the City of Bristol. The city recorder shall serve as ex officio treasurer of the board of education.

Sec. 6-6. Payment by recorder on order of board of taxes apportioned to school fund.

The city council shall provide by ordinance for the manner in which federal, state, county, and city taxes apportioned to the school fund shall be paid over by the city recorder on the order of the board of education.

Sec. 6-7. Payment of tuition by students who reside outside of City limits.

All children who are now or may hereafter be entitled under the laws of the State of Tennessee to attend the public schools in Sullivan County and who reside within the corporate limits of the City of Bristol shall be entitled to attend city schools. Children living outside the City of Bristol may attend city schools under the terms and conditions of a tuition policy set by the city council after consultation with the Board of Education. The city council may, by ordinance, establish annual fiscal capacity parameters, including, but not limited to, tuition rates, classroom capacity assumptions, staffing ratios, and budgetary constraints, within which the Board of Education shall administer non-resident admissions. Nothing herein shall be construed to divest the Board of Education of its authority to admit or deny individual non-resident students; provided, however, such admissions shall occur within the fiscal and operational parameters established by the city council for that fiscal year. At the beginning of each school year,

the Director of Schools shall submit a report on the number of such children to the City Manager. The report shall contain the number of such children per classroom and grade level.

SECTION 10. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Bristol. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 11. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 10.

Amendment No. 1 to HB2649

Crawford
Signature of Sponsor

AMEND Senate Bill No. 2711*

House Bill No. 2649

by deleting all language after the caption and substituting:

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except that an emergency ordinance shall take effect immediately from and after its final passage, the welfare of the city requiring it; and provided, however, that nothing shall prevent the City Council from enacting an ordinance with a later effective date when such later effective date is in the best interests of the City. In such cases, the required language above shall be adjusted accordingly.

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November 1 of the year in which they are assessed and/or a discount of one (1) percent if paid after November 1, but before December 1 of the year in which such taxes are assessed; provided, that such discount shall not apply when all or any part of the amount of tax due is paid pursuant to Tennessee Code Annotated, Title 67, Chapter 5, Part 7, or the corresponding provisions of any future general laws of the State of Tennessee.

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(b) Except as otherwise provided by this Charter or by state law, the city manager shall determine the powers and duties to be performed by, and assign them to, the appropriate departments; shall prescribe the powers and duties of officers and employees; may assign particular officers and employees to one (1) or more of the departments; may require an officer or an employee to perform duty in two (2) or more departments; and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

SECTION 8. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by adding the following new subsection in Section 6-3:

(c) The board of education shall have the power to make rules and regulations for the discharge of its functions, but the city recorder shall prescribe the methods to be followed by the board in keeping its accounts and records.

SECTION 9. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by adding the following new sections in Chapter 6:

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SECTION 10. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Bristol. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 11. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 10.