

SENATE BILL 87

By Watson

AN ACT to amend Tennessee Code Annotated, Title 2;
Title 5; Title 6 and Title 7, relative to local
government.

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

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 1, is amended by adding the following new section:

(a)

(1) On and after the effective date of this act, and except as provided in this subdivision (a)(1), the term for a member of the governing body of a metropolitan government is four (4) years. Elections for council members must be held on the first Thursday in August of 2024. If the governing body of a metropolitan council is required to reduce the number of its members in accordance with subdivision (b)(1):

(A) Then the terms of council members elected on the first Thursday in August of 2024, are for a period of three (3) years.

Thereafter, elected members will serve terms of four (4) years; and

(B) Then the terms of council members in office on the effective date of this act are extended until the member's successor takes office.

(2) Council members assume office on September 1 following the date of the election.

(3) This section does not preempt a metropolitan government from specifying in its charter the manner in which to hold a special election to fill a vacancy on the governing body.

(b)

- (1) After the next general election for the governing body of a metropolitan government held in accordance with subdivision (a)(1), the governing body must not be composed of more than twenty (20) voting members.
- (2) With respect to metropolitan governments formed after the effective date of this act, the governing body must not be composed of more than twenty (20) voting members. The adopted charter of a newly formed metropolitan government may provide for the initial election of the members of its governing body on a date other than that specified in subdivision (a)(1); provided, that the initial terms do not exceed four (4) years and expire on August 31 after the next subsequent general election held in accordance with subdivision (a)(1).
- (c) For purposes of complying with subsection (b), the governing body of a metropolitan government shall dissolve, combine, or reapportion districts or wards, as necessary, so that the number of members elected to the governing body does not exceed twenty (20) voting members. Using the most recent federal census, the governing body shall ensure that a reapportionment maintains substantially equal representation based on population and otherwise complies with the United States and Tennessee Constitutions and state and federal law.
- (d) Notwithstanding a general law or charter provision to the contrary, and regardless of whether a person has previously served on the governing body of a metropolitan government:
 - (1) A person who is elected on or after August 2024 in accordance with this section, may seek as many terms in office, including those partially served,

as are permissible under applicable provisions of the general law or the governing metropolitan charter; and

(2) After the reapportionment of districts under subsection (c), if any, a person may run for elected office to the governing body in any district or as an at-large candidate to the extent that the person is qualified to run in accordance with applicable provisions of the general law or the governing metropolitan charter.

(e) As used in this section, "governing body of a metropolitan government" means that body, board, or council in which the general legislative powers of a metropolitan government are vested.

SECTION 2. Tennessee Code Annotated, Title 6, Chapter 53, is amended by adding the following new section:

(a)

(1) After the next general election for the governing body of a municipality held on or after the effective date of this act, the governing body must not be composed of more than twenty (20) voting members.

(2) With respect to municipalities formed after the effective date of this act, the governing body must not be composed of more than twenty (20) voting members.

(b) For purposes of complying with subsection (a), the governing body of a municipality shall dissolve, combine, or reapportion districts or wards, as necessary, so that the number of members elected to the governing body does not exceed twenty (20) voting members. Using the most recent federal census, the governing body shall ensure that a reapportionment maintains substantially equal representation based on population and otherwise complies with the United States and Tennessee Constitutions and state and federal law.

(c) Notwithstanding a general law or charter provision to the contrary, and irrespective of whether a person has previously served on the governing body of a municipality:

- (1) A person who is elected on or after the effective date of this act may seek as many terms in office, including those partially served, as are permissible under applicable provisions of the general law or the governing municipal charter; and
- (2) After the reapportionment of districts under subsection (b), if any, a person may run for elected office to the governing body in any district or as an at-large candidate to the extent that the person is qualified to run in accordance with applicable provisions of the general law or the governing municipal charter.

(d) As used in this section, "governing body of a municipality" means that body, board, or council in which the general legislative powers of an incorporated city or town, including a home rule city, are vested. The term does not include the governing body of a metropolitan government.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 87

House Bill No. 48*

by deleting Section 1(a)(1)(A) and (B) and substituting:

- (A) Then the terms of council members elected on the first Thursday in August of 2024, are for a period of three (3) years. Thereafter, elected members will serve terms of four (4) years;
- (B) Then the terms of council members in office on the effective date of this act are extended until the member's successor takes office; and
- (C) Then the council members may take any action by majority vote of the council necessary to implement and facilitate this section, irrespective of any provision of a charter or private act.

AND FURTHER AMEND by designating SECTION 2(b) as SECTION 2(b)(1) and by adding the following new subdivision (2):

- (2) The governing body of a municipality may take any action by majority vote of the governing body necessary to implement and facilitate this section, irrespective of any provision of a charter or private act.



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