

HOUSE BILL 22

By Jernigan

AN ACT to amend Tennessee Code Annotated, Title 4,
relative to the Tennessee historical commission.

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

SECTION 1. Tennessee Code Annotated, Section 4-11-102, is amended by deleting subsections (a) and (b) and substituting instead the following:

(a)

(1) As of July 1, 2019, the existing membership of the Tennessee historical commission is vacated and reconstituted in accordance with this section.

(2) There is hereby created the Tennessee historical commission, which is composed of the state historian, the state archaeologist, the commissioner of environment and conservation or the commissioner's designee, and the state librarian and archivist, all of whom are voting ex officio members; and fifteen (15) members appointed by the governor. In making appointments to the commission, the governor shall strive to ensure that:

(A) At least one (1) person serving on the commission is sixty (60) years of age or older;

(B) At least seven (7) persons serving on the commission are members of a racial minority. The governor shall make a conscientious effort to ensure that qualified appointees include African Americans and Native Americans; and

(C) At least eight (8) persons serving on the commission have an academic background in history or historic preservation, or both, preferably a master's degree.

(3) In order to stagger the terms of the newly appointed commission members, the governor shall appoint:

(A) Five (5) persons to initial terms of two (2) years, expiring on June 30, 2021;

(B) Five (5) persons to initial terms of three (3) years, expiring on June 30, 2022; and

(C) Five (5) persons to initial terms of four (4) years, expiring on June 30, 2023.

(4) Following the initial terms, all appointed members of the commission shall serve terms of four (4) years.

(b) In the event of a vacancy for an appointed member of the commission, the governor shall fill the vacancy for the unexpired term. Each appointee shall serve until a successor is duly appointed and qualified.

SECTION 2. Tennessee Code Annotated, Section 4-1-412(c)(8)(A), is amended by deleting the language "clear and convincing evidence" and substituting instead "a preponderance of the evidence".

SECTION 3. For the purpose of making appointments, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes this act shall take effect July 1, 2019, the public welfare requiring it.