

HOUSE BILL 1176

By Garrett

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5, Chapter 6 and Title 42, relative to airport
authorities.

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

SECTION 1. Tennessee Code Annotated, Section 42-4-105(a)(1)(B), is amended by deleting the subdivision.

SECTION 2. Tennessee Code Annotated, Section 42-4-105(d)(1), is amended by deleting the subdivision and substituting:

(1) Notwithstanding this section to the contrary:

(A) The board of commissioners of the authority in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or a subsequent federal census, is vacated and reconstituted to consist of eleven (11) commissioners as follows:

(i) Four (4) persons to be appointed by the speaker of the house of representatives;

(ii) Four (4) persons to be appointed by the speaker of the senate;

(iii) Two (2) persons to be appointed by the governor; and

(iv) The mayor of the county having the metropolitan form of government or the mayor's designee, who serves as a voting ex officio commissioner;

(B) Persons appointed to the board must:

(i) Be residents of the county having the metropolitan form of government; and

(ii) Have no financial interest in an airport or its concessions at the time of the commissioner's appointment and during the commissioner's tenure as on the board;

(C) In order to stagger the terms of the newly appointed board, initial appointments are made as follows:

(i) Commissioners appointed under subdivision (d)(1)(A)(iii) serve initial terms that expire on June 30, 2025;

(ii) Commissioners appointed under subdivision (d)(1)(A)(i) serve initial terms that expire on June 30, 2026; and

(iii) Commissioners appointed under subdivision (d)(1)(A)(ii) serve initial terms that expire on June 30, 2027;

(D) Following the expiration of a commissioner's initial term, as prescribed in subdivision (d)(1)(C), all terms are four (4) years, to begin on July 1 and terminate on June 30, four (4) years thereafter;

(E) In making the appointments to the board, the appointing authorities shall strive to ensure that:

(i) The membership is representative of the state's geographic and demographic composition;

(ii) At least one (1) commissioner is a female; and

(iii) Another commissioner is of a racial minority;

(F) A commissioner:

(i) Serves in such capacity until the expiration of the term to which the commissioner was appointed and until the commissioner's successor is duly appointed and qualified; and

(ii) May be removed by the commissioner's appointing authority with or without cause. A vacancy created by the removal of a commissioner is filled by the appointing authority in the same manner as the original appointment;

(G) In addition to the reporting requirements under § 42-4-106(d) and (e), the authority shall submit quarterly reports or briefings of the activities, plans, and conditions of the authority, and any proposals for capital expansion or improvements to members of the legislative body of the creating municipality, the governor, the speaker of the house of representatives, and the speaker of the senate ninety (90) days prior to the expansion or improvements;

(H) The authority is subject to all other provisions of this chapter to the extent otherwise applicable, except as provided by this section.

SECTION 3. Tennessee Code Annotated, Section 42-4-106(d), is amended by adding the following as a new subdivision:

The president shall submit the annual operating budget to the governor, the speaker of the house of representatives, and the speaker of the senate for review.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.