

HOUSE BILL 1183

By Powell

AN ACT to amend Tennessee Code Annotated, Title 2 and  
Title 16, relative to nonpartisan elections.

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

SECTION 1. Tennessee Code Annotated, Section 2-13-203, is amended by deleting the section and substituting instead:

(a) For any office other than those listed in § 2-13-202, statewide political parties and recognized minor parties shall not nominate candidates, and elections for such offices shall be nonpartisan.

SECTION 2. Tennessee Code Annotated, Section 2-5-104, is amended by deleting subsection (a) and substituting instead the following:

(a) Each candidate, other than those filing under § 2-5-103, and those filing under subsection (b) or subsection (c), shall file the candidate's original nominating petition with the chair or the administrator of elections of the county election commission in the county in which the candidate is a resident and shall file certified duplicates of the nominating petition with the chairs or administrators of the county election commissions in all counties wholly or partially within the area served by the office which the candidate seeks.

SECTION 3. Tennessee Code Annotated, Section 2-4-105, is amended by deleting subsection (b).

SECTION 4. Tennessee Code Annotated, Section 2-5-101, is amended by deleting subdivision (a)(2) and substituting instead the following:

(2) Candidates for any office to be filled in a regular August general election shall qualify by filing their petitions no later than twelve o'clock (12:00) noon, prevailing time, on the first Thursday in April.

SECTION 5. Tennessee Code Annotated, Section 2-5-101, is further amended by deleting subsection (e).

SECTION 6. Tennessee Code Annotated, Section 2-13-107, is amended by deleting subdivision (e)(1).

SECTION 7. Tennessee Code Annotated, Section 2-13-204, is amended by deleting subsection (a) and substituting instead the following:

(a) If a political party's candidate for any office dies or withdraws because of military call-up for the draft, or physical or mental disability, such physical or mental disability being properly documented by competent medical authority, or is forced to change residence by the candidate's employer for a job-related reason, or is declared ineligible or disqualified by a court, a new nomination may be made by the former nominee's party pursuant to subsection (b). A political party's candidate may withdraw for reasons other than those stated in the preceding sentence, but the political party may make no further nomination for the position in question.

SECTION 8. Tennessee Code Annotated, Section 16-15-202, is amended by deleting subsection (b) and substituting instead the following:

(b) Elections for judges of the court of general sessions shall be nonpartisan.

SECTION 9. Tennessee Code Annotated, Title 2, Chapter 8, is amended by adding the following as a new section:

(a) In elections for judges and county constitutional officers:

(1) A candidate who receives a majority of the votes cast for the office is elected; and

(2) If no candidate receives a majority of the votes cast for the office, then a runoff election must be held under subsection (b).

(b)

(1) In a runoff election, only the names of the two (2) candidates who received the highest number of votes cast for such office which failed to be filled at the general election shall be placed on the official ballot or voting machine.

(2) A runoff election shall be held not less than thirty (30) days nor more than forty-five (45) days after the regular election.

SECTION 10. This act shall take effect July 1, 2017, the public welfare requiring it.