

HOUSE BILL 2427

By Hicks T

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to higher education.

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

SECTION 1. Tennessee Code Annotated, Section 49-9-206(d), is amended by deleting subdivision (1) and substituting instead the following:

(1) The standing committee with responsibility for oversight of academic affairs and student success must include one (1) voting full-time faculty member of a University of Tennessee institution. The faculty member must be:

(A) Selected and appointed in a manner determined by the board of trustees no later than January 31 of each year; and

(B) Confirmed by joint resolution of the senate and the house of representatives prior to beginning the faculty member's term. The faculty member's appointment must be confirmed during the next regular session of the general assembly following the faculty member's selection by the board of trustees. If either house fails to confirm the appointment of the faculty member within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day. If the general assembly is not in session when a faculty member is appointed to fill a vacancy:

(i) Resulting from the expiration of a term, then the faculty member whose term has expired may serve until a new appointee is confirmed in accordance with this subdivision (d)(1)(B); or

(ii) Not resulting from the expiration of a term, then the new appointee may serve for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly following the appointment in accordance with this subdivision (d)(1)(B).

SECTION 2. Tennessee Code Annotated, Section 49-9-501(c), is amended by deleting the language "May 31" and substituting instead the language "January 31".

SECTION 3. Tennessee Code Annotated, Section 49-9-501, is amended by deleting subsection (f) and substituting instead the following:

(f)

(1)

(A) Except as otherwise provided in this subsection (f), the five (5) members appointed by the governor, and the faculty member appointed pursuant to subsection (c), must be confirmed by joint resolution of the senate and house of representatives prior to beginning a term of office.

(B) If either house fails to confirm the appointment of a member, including a faculty member appointed pursuant to subsection (c), within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

(2) If the general assembly is not in session at the time a member is appointed to fill a vacancy:

(A) Resulting from the expiration of a term, then the member whose term has expired may serve until a new appointee is confirmed in accordance with subdivision (f)(1); or

(B) Not resulting from the expiration of a term, then the new appointee may serve for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly following the appointment in accordance with subdivision (f)(1).

SECTION 4. Tennessee Code Annotated, Section 49-8-201(a), is amended by deleting subdivision (5) and substituting instead the following:

(5)

(A) All appointed members, including the voting and nonvoting faculty members appointed by the governor pursuant to subdivision (a)(3)(D), must be confirmed by the senate prior to beginning a term of office.

(B) If the senate fails to confirm the appointment of a member, including a voting or nonvoting faculty member appointed by the governor pursuant to subdivision (a)(3)(D), within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

SECTION 5. Tennessee Code Annotated, Section 49-8-201(a), is amended by deleting subdivision (7) and substituting instead the following:

(7)

(A) If a vacancy occurs, then the appointing authority must appoint a person who meets the necessary qualifications to fill the vacant position. All members appointed to fill a vacancy must be confirmed by the senate prior to beginning a term of office pursuant to subdivision (a)(5).

(B) If the general assembly is not in session at the time a member is appointed to fill a vacancy resulting from the expiration of a term, then the member whose term has expired may serve until a new appointee is confirmed in accordance with subdivision (a)(5).

(C) If the general assembly is not in session at the time a member is appointed to fill a vacancy not resulting from the expiration of a term, then the new appointee may serve for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly following the appointment in accordance with subdivision (a)(5).

SECTION 6. Tennessee Code Annotated, Section 49-8-201(f), is amended by deleting subdivision (3) and substituting instead the following:

(3) The eight (8) members of a state university board appointed by the governor, and the faculty member selected to serve on a state university board pursuant to subdivision (f)(1)(E), must be confirmed by joint resolution of the senate and house of representatives prior to beginning a term of office. If either house fails to confirm the appointment of a member, including the faculty member selected to serve on the state university board pursuant to subdivision (f)(1)(E), within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

SECTION 7. Tennessee Code Annotated, Section 49-8-201(f), is amended by deleting subdivision (5) and substituting instead the following:

(5)

(A) If a vacancy occurs, then the appointing authority must appoint a person who meets the necessary qualifications to fill the vacant position. All members appointed to fill a vacancy must be confirmed by joint resolution of the senate and house of representatives prior to beginning a term of office.

(B) If the general assembly is not in session at the time a member is appointed to fill a vacancy resulting from the expiration of a term, then the member whose term has expired may serve until a new appointee is confirmed in accordance with subdivision (f)(3).

(C) If the general assembly is not in session at the time a member is appointed to fill a vacancy not resulting from the expiration of a term, then the new appointee may serve for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly following the appointment in accordance with subdivision (f)(3).

SECTION 8. This act takes effect July 1, 2024, the public welfare requiring it.