

HOUSE BILL 2891

By Todd

AN ACT to amend Tennessee Code Annotated, Title 2 and Title 49, Chapter 2, relative to school board elections.

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

SECTION 1. Tennessee Code Annotated, Section 49-2-201, is amended by deleting the section and substituting:

(a)

(1) There shall be a local board of education for each LEA that is elected by the people. A school board shall not consist of more members than the number of members authorized by the general assembly by private act; provided, that the number of school board members is no less than three (3) nor more than eleven (11). Except as provided in subdivision (a)(3), the members of the school board shall be elected for a term of four (4) years, and may succeed themselves.

(2) In order to establish synchronous elections, the local legislative body for the LEA governed by the local board of education shall fix the date of school board elections to coincide with the August primary and November general elections. Members of a local board of education must be residents of, and elected from, districts of substantially equal population established by resolution of the local legislative body. Members of special school district boards of education must be elected according to special or private act, but must be popularly elected on a synchronous term basis. Vacancies occurring on the school board must be filled by the local legislative body. In special school districts, vacancies on the school board arising from death or resignation must be filled by the special school district's board

of education. Any person so appointed must serve until a successor is elected and qualified according to law. The successor must be elected at the next general election for which candidates have a sufficient time to qualify under the law.

Elections for school board members may be conducted on a partisan or nonpartisan basis. If at least one (1) county primary board of a political party elects to conduct school board elections on a partisan basis, then a person seeking a position on any board in that county may campaign as the nominee or representative of a political party, and political parties may nominate candidates for membership on the board by any method authorized under the rules of the party or by primary election under title 2.

(3) Notwithstanding the four-year term set out in this section for school board members, a special school district with a different term established by private act for school board members may retain the existing term.

(4) The general assembly by private act, or the local legislative body by resolution, may adopt a plan to implement four-year synchronous terms of election for a local board of education by July 31, 2025. Any plan for synchronous terms of election implemented pursuant to this subdivision (a)(4) must comply with the requirements of this section.

(b) The legislative body for each county and municipality shall change the date of school board elections to coincide with the August primary and November general elections in accordance with subdivision (a)(2). The local board of education for a special school district shall adopt and submit to the general assembly a resolution to change, by private act, the date of school board elections for the special school district to coincide with the August primary and November general elections in accordance with subdivision (a)(2).

(c)

(1) The first election of the members of a local board of education in a municipality that is chartered after the effective date of this act must be held on the fourth Tuesday following the election at which the charter was adopted.

(2) After an initial election is held pursuant to subdivision (c)(1), the legislative body of the municipality shall fix the date of all subsequent school board elections to coincide with the August primary and November general elections.

(d) The qualifying deadline for independent and primary candidates is twelve o'clock (12:00) noon, prevailing time, on the date established in § 2-5-101(a).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.