

HOUSE BILL 2905

By Lamberth

AN ACT to amend Chapter 568 of the Private Acts of 1939; as amended by Chapter 107 of the Private Acts of 1981; Chapter 12 of the Private Acts of 1981; Chapter 168 of the Private Acts of 1986 and Chapter 45 of the Private Acts of 2018; and any other acts amendatory thereto, relative to the charter of the City of Portland.

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

SECTION 1. Article III, Section 9 of Chapter 568 of the Private Acts of 1939, as amended by Chapter 12 of the Private Acts of 1981, Chapter 168 of the Private Acts of 1986, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Be it further enacted, That when any vacancy in the city council for the office of alderman shall occur, such council as then composed of Mayor and Aldermen, shall elect a person qualified to fill the vacancy until the next regular election by publicly nominating such interested persons and voting until a majority can be reached. At the next regular election that person receiving the highest vote count after all offices for election to a four year term have been determined, shall be elected to fill out the vacancy. Qualifications to serve are stated in Article III, Section 1. Should the Mayor or any Alderman cease to be a bona fide resident of the city at any time during his or her term of office, his or her office shall thereupon become vacant.

SECTION 2. Article V, Section 1 of Chapter 568 of the Private Acts of 1939, as amended by Chapter 107 of the Private Acts of 1981, Chapter 45 of the Private Acts of 2018, and any other acts amendatory thereto, is amended by deleting the first paragraph of the section and substituting instead the following:

Be it further enacted, That the Mayor shall preside at all meetings of the City Council, and shall have a seat, and a voice, but not vote, except for the purpose of breaking a tie, or for the election of the City Attorney, City Judge, City Recorder, or a vacant seat of an Alderman when he or she shall vote as other members of the City Council.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Portland. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.