

HOUSE JOINT RESOLUTION 103

By Kelsey

A RESOLUTION to propose an amendment to Article VI, Section 5 of the Constitution of Tennessee, to provide for popular election of the Attorney General for the State.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed:

That Article VI, Section 5, of the Constitution of Tennessee be amended by deleting the first sentence and by substituting instead the following:

An attorney general for the state shall be popularly elected by the qualified voters of the state and shall hold office for a term of four years and until a successor is elected and qualified. No person shall be eligible for election to more than two four-year terms. The attorney general shall be at least thirty years of age, shall be a citizen of the United States, shall have been a citizen of this state at least five years immediately preceding his or her election, and shall be an attorney licensed to practice law in Tennessee. The attorney general may prosecute, in any court having jurisdiction of the matter, any violation of state criminal statutes prohibiting misuse of public office for personal financial gain and may perform all prosecutorial functions attendant thereto, and shall perform other duties as are authorized or required by law.

BE IT FURTHER RESOLVED, That upon ratification of the amendment proposed herein at the November 2014 general election, a popular election for an interim attorney general shall be held at the November 2016 general election and the person elected shall serve as interim

attorney general for a term of two (2) years; and a popular election for attorney general shall be held at the November 2018 general election and every four (4) years thereafter.

BE IT FURTHER RESOLVED, That upon ratification of the amendment proposed herein at the November 2014 general election, the Justices of the Supreme Court shall retain power to fill, until the November 2016 general election, any vacancy arising in the office of attorney general.

BE IT FURTHER RESOLVED, That the foregoing be referred to the One Hundred Seventh General Assembly and that this resolution proposing such amendment be published in accordance with Article XI, Section 3 of the Constitution of Tennessee by means of posting this resolution on the official web site of the secretary of state and on the official web site of the general assembly.

BE IT FURTHER RESOLVED, That the clerk of the house of representatives is directed to deliver a copy of this resolution to the secretary of state and to the director of the office of legislative information services.