

SENATE BILL 77

By Overbey

AN ACT to amend Tennessee Code Annotated, Section 49-4-202, relative to the appointment of student members to the board of the Tennessee student assistance corporation.

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

SECTION 1. Tennessee Code Annotated, Section 49-4-202(a), is amended by deleting the words, "a student" and by substituting instead the language, "two (2) students".

SECTION 2. Tennessee Code Annotated, Section 49-4-202(c), is amended by deleting the subsection in its entirety and by substituting instead the following:

(1) The student members shall be enrolled full time in public or private institutions of higher education in Tennessee.

(2) One (1) student member shall be selected by the governor each year from candidates produced by the following procedures:

(A) On or before September 1 of each year, the Tennessee intercollegiate state legislature foundation shall notify its members and the student government organizations of all institutions with eligible students, that students may apply to the foundation to run in a general election at the Tennessee intercollegiate state legislature foundation's annual general assembly. The candidates shall alternate between public and private institutions each year. The Tennessee intercollegiate state legislature foundation shall conduct the election pursuant to its constitution and rules of order and shall be responsible for funding the election.

(B) On April 1, the Tennessee intercollegiate state legislature foundation shall present the governor with the names of the three (3) candidates with the

most votes from the general election. The governor shall select one (1) student from the three (3) candidates.

(3) The governor shall appoint the selected student to the board for a term of two (2) years. The student shall be a nonvoting member for the fiscal year beginning July 1 immediately following the student's appointment. After the student has served on the board as a nonvoting member for one (1) year, the student shall serve the second year of the student's term as a voting member.

(4) If a vacancy is created by the death or resignation of the voting student member, the nonvoting student member shall fill the vacancy. If a vacancy is created by the death, resignation, or promotion of the nonvoting member, the vacancy shall be filled by gubernatorial appointment for the remainder of the unexpired term.

(5) Notwithstanding the provisions of subdivisions (2) and (3) to the contrary, to establish two-year staggered terms for the student members, the governor shall select two (2) students from the six (6) candidates. Three (3) candidates shall be from private institutions and three (3) candidates shall be from public institutions. The candidates shall be chosen according to the procedures of subdivision (2). The governor shall appoint one (1) student from a private institution as a voting member to a one-year term beginning on July 1, 2012. The governor shall appoint one (1) student from a public institution to a two-year term beginning on July 1, 2012, according to subdivision (3).

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.