

SENATE BILL 1463

By Haile

AN ACT to amend Chapter 67 of the Private Acts of 1953; as amended by Chapter 28 of the Private Acts of 1965; Chapter 42 of the Private Acts of 1979; Chapter 97 of the Private Acts of 1981; Chapter 194 of the Private Acts of 1990; Chapter 196 of the Private Acts of 1990; Chapter 173 of the Private Acts of 1996; and any other acts amendatory thereto, relative to the charter of the City of Gallatin.

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

SECTION 1. Chapter 67 of the Private Acts of 1953, as amended by Chapter 28 of the Private Acts of 1965, Chapter 42 of the Private Acts of 1979, Chapter 97 of the Private Acts of 1981, Chapter 194 of the Private Acts of 1990, Chapter 196 of the Private Acts of 1990, Chapter 173 of the Private Acts of 1996, and any other acts amendatory thereto, is amended by deleting from the first paragraph of Article III, Section 1, the following language:

; and when two or more persons shall have an equal number of votes for any elective office, the election shall be determined by a majority of the votes of the Council-elect.

and by substituting instead the following:

When two (2) or more persons shall have an equal number of votes for any elective office, the election shall be determined by a majority of the votes of the council-elect. No person elected and qualified to the office of Mayor, District Alderman, or Alderman-at-Large shall be eligible for the succeeding term in the same office if such person has served more than one-half (1/2) of a four-year term and a consecutive completion of two (2) four-year terms in that particular office. For purposes of this section, the office of District Alderman and Alderman-at-Large shall be considered separate elected offices.

SECTION 2. Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 3. This act shall have no effect unless it is approved by a majority of the number of qualified voters of the City of Gallatin voting in an election on the question of whether or not the act should be approved. The local legislative body shall determine whether such referendum shall be part of the next regularly scheduled election or if a special election shall be called. The ballots shall have printed on them a summary of this act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The results of the referendum shall further be certified to the secretary of state by the presiding officer of the legislative body of the City of Gallatin.

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.