

CHAPTER NO. 127

SENATE BILL NO. 3309

By Dixon

Substituted for: House Bill No. 3328

By Ulysses Jones

AN ACT To amend Chapter 30 of the Acts of 1868-69, as amended by Chapter 17 of the Acts of 1883-84, Chapter 470 of the Private Acts of 1927, Chapter 340 of the Private Acts of 1970, Chapter 67 of the Private Acts of 1995, and all other acts amendatory thereto, the same being the charter of the Memphis city schools.

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

SECTION 1. Chapter 30 of the Acts of 1868-69, as amended by Chapter 17 of the Acts of 1883-84, Chapter 470 of the Private Acts of 1927, Chapter 340 of the Private Acts of 1970, and Chapter 67 of the Private Acts of 1995, is further amended by deleting the following language from Section 8 of Chapter 340 of the Private Acts of 1970:

A successor shall be elected by the registered voters of the city or of the district to fill out the remainder of the term of the member of the Board of Education whose seat was vacated in the same manner as now provided for filling vacancies on the Legislative Council of the City of Memphis: Provided, however, that such special municipal election shall be held on the date of the next regular August or November election, whichever shall first occur, and provided, further, that not less than sixty (60) days occur between the creation of the said vacancy and the date of the next regular election. In the event that less than sixty (60) days exist between the creation of the vacancy and the next regular election, the election to fill the unexpired term shall go over to the next succeeding general or municipal election.

SECTION 2. Chapter 30 of the Acts of 1868-69, as amended by Chapter 17 of the Acts of 1883-84, Chapter 470 of the Private Acts of 1927, Chapter 340 of the Private Acts of 1970, and Chapter 67 of the Private Acts of 1995, is further amended by designating the language of Section 8 of Chapter 340 of the Private Acts of 1970, as amended by Section 1 of this act as subsection (a) and inserting the following language as a new subsection:

(b)(1) Notwithstanding any provision of this charter to the contrary, in the event that a vacancy on the board shall be filled by appointment as provided in subsection (a), the newly appointed member shall hold office until the next election at which any of the regular Board of Education positions are scheduled to be filled and until a successor is duly elected, qualified, and installed as a result of such election. At such election, if the position filled by the appointed member is otherwise scheduled for regular election in accordance with Chapter 67 of the Private Acts of 1995, then a board member shall be elected for the next full four (4) year term on the board. If, at such election, the position would not otherwise be scheduled for election, then an interim member shall be elected to serve the remainder of the unexpired term.

(2) The provisions of this act shall apply to any interim member serving on the effective date of this act.

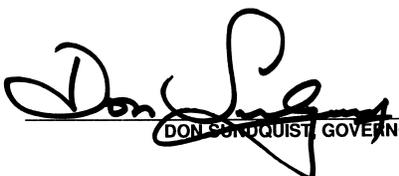
SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 22, 2000**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 30<sup>th</sup> day of May 2000**

  
DON SNOQUIST, GOVERNOR