

**PUBLIC CHAPTER NO. 644**

**HOUSE BILL NO. 2866**

**By Representatives Pinion, Harmon, Fraley, Curt Cobb, Curtis Johnson, Overbey, Windle, DuBois, Jim Cobb**

**Substituted for: Senate Bill No. 2813**

**By Senators Tracy, Roller**

AN ACT to amend Tennessee Code Annotated, Section 54-7-107, relative to vacancies in the office of chief administrative officer of the county highway department.

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

SECTION 1. Tennessee Code Annotated, Section 54-7-107, is amended by deleting the section in its entirety and by substituting instead the following language:

§ 54-7-107.

(a) If a vacancy occurs in the office of the chief administrative officer, a qualified successor shall be chosen in the manner specified by law.

(b) If such vacancy occurs as a result of death, resignation or removal of the chief administrative officer, then during the period of time from when such vacancy arises until such time as a qualified successor is chosen, the duties of the chief administrative officer shall be performed by the assistant superintendent of highways, chief foreman, administrative assistant or other highest ranking member of the office of the chief administrative officer who shall be designated as an interim successor by the chief administrative officer of the county highway department. The chief administrative officer shall designate such interim successor, in writing, by either name or title or position held. The interim successor shall fulfill all duties of the office of chief administrative officer as prescribed by law.

(c) If the county in which the chief administrative officer serves is a county which has an elected highway commission, then the chief administrative officer shall file the written interim successor designation with the chairperson of the county highway commission and with the county clerk. If the county in which the chief administrative officer serves is a county that does not have an elected highway commission, then the chief administrative officer shall file the written interim successor designation with the chairperson of the county legislative body and with the county clerk.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.

PASSED: March 10, 2008

  
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JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
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RON RAMSEY, SPEAKER  
SENATE OF THE SENATE

APPROVED this 18th day of March 2008

  
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PHIL BREDESEN, GOVERNOR