



State of Tennessee

PUBLIC CHAPTER NO. 1

SENATE BILL NO. 25

By Norris

Substituted for: House Bill No. 51

By Todd, Lollar, White, McManus, Coley

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 2, relative to administration of local education agencies.

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

SECTION 1. Tennessee Code Annotated, Section 49-2-502, is amended by designating the current language as subsection (a) and by adding the following new language as subsection (b):

(b)(1) Notwithstanding the provisions of subsection (a) or any other law to the contrary, *if* the proposed transfer of the administration of the schools in the special school district to the county board of education would result in an increase in student enrollment within the county school system of one hundred percent (100%) or more, *and if* a majority of the voters who cast votes in the referendum vote in favor of the transfer; *then* a comprehensive transition plan shall be developed, *and* the transfer shall take effect at the beginning of the third, full school year immediately following certification of the election results.

(2) The comprehensive transition plan shall be developed by a transition planning commission. The transition plan shall consider and provide for each of the matters set forth in § 49-2-1201(i) and § 49-2-1204. Prior to its implementation, the transition plan shall be submitted to the department of education for review and comments. The transition planning commission shall consist of twenty-one (21) members, as follows:

(A) The county mayor, the chair of the county board of education and the chair of the board of education of the special school district shall serve as ex officio members of the commission;

(B) The county mayor, the chair of the county board of education and the chair of the board of education of the special school district shall each appoint five (5) competent citizens to serve as members of the transition planning commission; and

(C) The governor, the speaker of the senate and the speaker of the house of representatives shall jointly appoint three (3) competent citizens to also serve as members of the transition commission.

(3) From and after the effective date of the transfer of the administration of the schools in the special school district to the county board of education, the restrictions imposed on the creation of municipal school districts, in § 6-58-112(b), and special school districts, in § 49-2-501(b)(3), shall no longer apply in such county.

SECTION 2. This act shall take effect on becoming law, the public welfare requiring it, and shall apply to any proposed § 49-2-502 transfer pending on or after such date.



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PASSED: February 10, 2011



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of February 2011



BILL HASLAM, GOVERNOR

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