**S T A T E  O F  T E N N E S S E E**
OFFICE OF THE
**ATTORNEY GENERAL**
**425 FIFTH AVENUE NORTH**
**NASHVILLE, TENNESSEE 37243**

August 28, 2000

Opinion No. 00-138

School Board Member - - Other County Office

## QUESTION

May an individual be a county school board member while also being the county assessor of property?

## OPINION

No. A county property assessor may not also be a county school board member.

## ANALYSIS

You provided these facts. A Hardin County School Board member was elected to the school board in 1994 and then re-elected in 1998 for a four-year term that will expire in 2002. This individual ran for county assessor of property and was elected to this position in August 2000.

Neither a member of the county legislative body nor any other county official is eligible for election as a member of the county board of education. Tenn. Code Ann. § 49-2-202(a)(2) (Supp. 1999). Thus this individual became ineligible to be a school board member when he was elected to another county office. Assuming the individual wants to retain his elected position as county property assessor, he must resign his position as county school board member.

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Requested by:

The Honorable Randy S. Rinks
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