

**STATE OF TENNESSEE**

OFFICE OF THE  
**ATTORNEY GENERAL**  
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November 19, 2004

Opinion No. 04-167

Repeal of Private Act

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**QUESTION**

1947 Tenn. Priv. Acts Ch.617 prohibits the sale and manufacture of fireworks in Hawkins County. May the Hawkins County Commission repeal this law?

**OPINION**

No, only the General Assembly may repeal a law.

**ANALYSIS**

1947 Tenn. Priv. Acts Ch. 617 prohibits the sale and manufacture of fireworks “in all Counties of this State having a population of not less than 28,523 and not more than 28,525 inhabitants according to the Federal Census of 1940, or any subsequent Federal Census.” Hawkins County falls within this population bracket. Tennessee Code Annotated Vol. 13A, p. 1017. The request asks whether the Hawkins County Commission may repeal this law. A county is not authorized to repeal a private act. Only the General Assembly may repeal a law. *See* Tenn. Const. art. II, § 3 (legislative authority vested in General Assembly); Op. Tenn. Att’y Gen. 94-132 (November 8, 1994) (county commission cannot rescind its approval of a private act after the approval has been proclaimed and certified to the Secretary of State).

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Requested by:

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