

CHAPTER NO. 118

HOUSE BILL NO. 3248

By Representative Newton

Substituted for: Senate Bill No. 3193

By Senator Kurita

AN ACT to repeal Chapter 190 of the Private Acts of 1975; as amended by Chapter 114 of the Private Acts of 1977, Chapter 71 of the Private Acts of 1981, Chapter 197 of the Private Acts of 1982, and all other acts amendatory thereto, to divide Polk County into school districts, and to provide for the number, election, compensation and terms of members of the Polk County Board of Education.

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

SECTION 1. Chapter 190 of the Private Acts of 1975, as amended by Chapter 114 of the Private Acts of 1977, Chapter 71 of the Private Acts of 1981, Chapter 197 of the Private Acts of 1982, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Polk County shall be divided into three (3) school districts of substantially equal population, which shall be coextensive with the three (3) county commissioner districts as established by resolution of the county legislative body of Polk County.

SECTION 3. The Polk County Board of Education shall consist of nine (9) members. Three (3) members of the Polk County Board of Education shall be elected by the qualified voters in each school district. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (1/2) of the members of the Board shall expire. Persons elected in the regular August election shall take office on September 1 following the elections and shall serve until their successors are duly elected and qualified.

SECTION 4. The current terms of incumbent members of the Polk County Board of Education shall not be cut short as a result of changes in the school districts as provided in this act. In order to establish staggered four (4) year terms and to reduce the number of board members from eleven (11) to nine (9), board members shall be elected to four (4) year terms as follows: At the August 2002 election, one (1) board member shall be elected from each of School Districts 1 and 3, and two (2) board members shall be elected from School District 2. At the August 2004 election, two (2) board members shall be elected from each of School Districts 1 and 3, and one (1) board member shall be elected from School District 2. Thereafter, board members shall be elected to four (4) year terms as each respective board member's term expires.

SECTION 5. The Polk County Board of Education shall have the same powers, duties, privileges and qualifications as other county boards of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Polk County Board of Commissioners. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Polk County and certified by such officer to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

PASSED: April 3, 2002


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 9th day of April 2002


DON SUNDQUIST, GOVERNOR