



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM:  Lynnis Roehrich-Patrick
Executive Director

DATE: 5 January 2016

SUBJECT: County Employees Serving on their County Commissions—Final Report for Approval

The attached Commission report is submitted for your approval. The report responds to a request by the Senate State and Local Government and the House Local Government committees to study Senate Bill 466 by Bell and House Bill 985 by Rogers, which would disqualify all county government employees from serving on their county legislative bodies; the restriction would not apply to members elected before December 1, 2015. Current commissioners reelected on or after December 1, 2015, without an interruption in service, could continue to serve.

The report describes issues raised by the bill and ways to manage conflicts of interest that go beyond what is required by Tennessee law. Examples are drawn from the existing practices of Tennessee counties, previously introduced legislation, and other states' laws and include further restricting voting; restricting service on certain committees; specifically defining conflicts of interest in law; requiring written disclosure of conflicts when voting, ethics training, and local ethics committees; and authorizing state ethics commissions to enforce conflict of interest laws.