



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM: Cliff Lippard *Cliff*
Executive Director

DATE: 5 September 2019

SUBJECT: House Bill 2265/Senate Bill 2146 (Consolidation of Municipal Elections)—
Final Report for Approval

The attached Commission report is submitted for your approval. It was prepared in response to House Bill 2265 by Representative C. Sexton and its companion, Senate Bill 2146 by Senator Gardenhire, which were introduced in 2018 because of concerns about low voter participation and the cost of municipal elections. As amended, the legislation would have required some cities to change their election dates to coincide with either the regular August or November election by 2022. The House Local Government Subcommittee voted to send the study to the Tennessee Advisory Commission on Intergovernmental Relations, while the Senate State and Local Government Committee deferred it to summer study, with the committee chair later saying the committee's intent was for the Commission to conduct the study. Since the draft report was presented, some explanation was added to clarify that although voter, ballot, and election fatigue might affect ballot drop-off, it is difficult to fairly and accurately compare ballot drop-off in different elections because turnout in elections is affected by many variables.

In Tennessee, dates for federal primary elections, all state and county government elections, and judicial elections—but not city elections—are set by the Tennessee Constitution or by state statute. While the state constitution establishes the date for electing judges and county officers as the first Thursday in August in even-numbered years, it authorizes the General Assembly to set dates for electing state officials and for all federal, state, or county primary elections. The establishment of municipal election

dates and the processes and restrictions for changing them—which were last modified by the General Assembly in 2010—depend on the city’s type of charter.

While aligning municipal elections with countywide elections usually improves turnout and saves cities money, local government representatives, as well as representatives of the Tennessee Municipal League and University of Tennessee Municipal Technical Advisory Service, are concerned about mandating that city elections be combined with county, state, and federal elections. Local government representatives say they understand their communities’ unique needs and issues and should be able to decide when they hold their own elections.

The report recommends that the Tennessee legislature should continue to authorize, rather than require, municipalities with private act or general law charters to change their election date by ordinance to either the August or November general elections in even-numbered years. The legislature could consider adding one additional even-year election date—the presidential primary election in March—as an option for municipalities to move their election date. Although the presidential primary is held every four years, not every two years, including it as an option for municipal elections in Tennessee might encourage city leaders to move their election dates to coincide with another countywide election. This could help balance municipal governments’ authority and flexibility to decide what works best for their communities with the cost savings and increased voter turnout that usually result from aligning municipal elections with countywide elections.