



March 26, 2024

SUMMARY OF BILL AS AMENDED (015764, 017391): Requires that elections for municipal and special school district boards of education coincide with August primary and November general elections. Requires municipal legislative bodies with a local education agency (LEA) and each special school district to fix the dates of the elections before July 31, 2025. Requires the qualifying deadline for school board candidates be to 55 days prior to the election, and the withdraw deadline no later than 52 days prior to the election, if the county election commission sets the date for the initial school board election to coincide with a regular primary or general election or with a May primary, and the regular qualifying deadline cannot be used. Requires the ordinance or resolution changing the election date to provide for the extension of terms of members of the board to meet the new election date, up to two years beyond their regular expiration date. Establishes that the first election of local board of education members in a municipality that is chartered after the effective date of this act must hold the election on the fourth Tuesday following the election at which the charter was adopted.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Tennessee Code Annotated § 49-2-201(1) currently requires board of education members' terms to be staggered. The proposed legislation would remove this requirement.
- August and November elections are currently held statewide in even-numbered years.
- Pursuant to Tenn. Code Ann. § 49-2-201(d)(1)(A)-(C):
 - Primary elections for school boards in which candidates nominated for school boards are to appear on the regular August election ballot are to be held on the first Tuesday in May before the August election, and in years in which an election for President is held the primary election for school board members is to be held on the same day as the presidential preference primary.
 - Primary elections in which candidates nominated for school board are to appear on the regular November election ballot are held concurrently with the regular August election.
 - Primary elections in which candidates nominated for school board are to appear on a ballot other than the regular August or regular November election ballot may be held on the first Tuesday in the third month before the election.

- It is assumed that other municipal elections will continue to take place similarly to current practice, without the boards of education seats on the ballot.
- Based on information from the Division of Elections, shifting the timings of special school district boards of education elections can be accomplished without any significant impact on local or state expenditures.
- Requiring the qualifying deadline to be 55 days prior to an election in certain circumstances will not result in a significant change in the number of individuals seeking qualification.
- According to TACIR's September 2019 Report *Timing of Municipal Elections in Tennessee: Continue to Authorize, Not Require, Election Consolidation*, there were 65 cities that do not have municipal elections that coincide with regular November elections.
- Assuming that these municipal elections will continue to occur after local boards of education elections are moved to the November general elections, this change will not result in a significant fiscal impact to either state or local election commissions.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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