

HOUSE BILL 2398

By Halford

AN ACT to amend Chapter 7 of the Private Acts of 1999; as amended by Chapter 114 of the Private Acts of 2004; and any other acts amendatory thereto; relative to the Charter of the City of Milan.

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

SECTION 1. Chapter 7 of the Private Acts of 1999, as amended by Chapter 114 of the Private Acts of 2004; and any acts amendatory thereto, is amended by deleting Section 2 in its entirety and by substituting instead the following:

Section 2.

Definitions. As used in this Charter, the following words and terms shall mean:

(1) "Alderman" means a person elected to the office of Alderman as provided in this Charter.

(2) "Board of Mayor and Aldermen" and "Board" means the legislative body of the City, which shall be composed of the Mayor and eight (8) Aldermen elected as provided in this Charter.

(3) "City" or "municipality" means the City of Milan, Tennessee.

(4) "Qualified resident voter" means a person qualified to vote in accordance with the general election laws of the State of Tennessee and who is domiciled within the City of Milan for at least thirty (30) consecutive days immediately prior to an upcoming municipal election.

(5) "Qualified nonresident voter" means a person qualified to vote in accordance with the general election laws of the State of Tennessee and who is domiciled within the State of Tennessee, but not within the City of Milan, and who

owns real property within the City of Milan for at least thirty (30) consecutive days immediately prior to an upcoming municipal election.

SECTION 2. Chapter 7 of the Private Acts of 1999, and any acts amendatory thereto, is further amended in Section 6 by deleting the language:

Any qualified voter who has been a resident of the City for at least one (1) year may be qualified as a candidate for Mayor or Alderman.

and by substituting instead the language:

No person other than a qualified resident voter who has been domiciled within the City for at least one (1) year immediately preceding an election may be qualified as a candidate for Mayor in such election. No person other than a qualified resident voter who has been domiciled within the particular ward in the City from which he or she seeks election for at least one (1) year immediately preceding such election may be qualified as a candidate for Alderman.

SECTION 3. Chapter 7 of the Private Acts of 1999, and any acts amendatory thereto, is further amended in Section 6 by adding as the final paragraph of such Section the language:

No persons other than qualified resident voters and qualified nonresident voters shall be allowed to vote in municipal elections. A qualified nonresident voter shall be allowed to vote only in a ward in which his or her real property is located. If a qualified nonresident voter owns real property in more than one ward, such qualified nonresident voter shall be allowed to vote only in one of the wards in which he or she owns property and such qualified nonresident voter shall choose the ward.

SECTION 4. Chapter 7 of the Private Acts of 1999, and any acts amendatory thereto, is further amended in subdivision (2) of Section 8 by deleting the language:

The compensation of the Mayor and Aldermen shall be set by ordinance, but the salary of the Mayor or any Alderman shall not be changed during their term of office, except that the Mayor will receive the cost of living raise, if awarded to the employees.

and by substituting instead the language:

The compensation of the Mayor and Aldermen shall be set by ordinance, but the salary of the Mayor or any Alderman shall not be changed during his or her term of office.

SECTION 5. Chapter 7 of the Private Acts of 1999, and any acts amendatory thereto, is further amended in Section 16 by deleting subdivision (8) in its entirety and by substituting instead the language:

(8) Shall, at the first meeting in January, appoint, with approval of the Board, a Vice-Mayor, Treasurer, City Attorney, and City Recorder, and, at the Mayor's option, shall appoint, with approval of the Board, an Assistant City Attorney and City Accountant. If one of these appointed positions becomes vacant, the Mayor shall appoint a person to fill the position with approval of the Board.

SECTION 6. Chapter 7 of the Private Acts of 1999, and any acts amendatory thereto, is further amended in Section 16 by deleting any subdivision (11) that may exist in its entirety and by adding the language:

(11) Shall have the authority to hire employees and to terminate the employment of any employee of the City.

SECTION 7. Chapter 7 of the Private Acts of 1999, and any acts amendatory thereto, is amended in Section 17 by adding the language "The Mayor, with the approval of the Board, shall appoint a City Recorder." as the first sentence of such Section.

SECTION 8. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Milan. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Milan and certified to the secretary of state.

SECTION 9. 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 as provided in Section 8.