

SENATE BILL 288

By Stevens

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 17, relative to the administration of oaths of office.

WHEREAS, it is the intention of the General Assembly for efficiency purposes to provide a uniform list of those individuals who may administer the oath to publicly elected officers; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 17-1-104, is amended by deleting the last sentence and substituting instead the following language:

The oath shall be administered in accordance with title 8 or any other applicable law.

SECTION 2. Tennessee Code Annotated, Section 8-18-107, is amended by deleting the last two sentences of the section and substituting instead the following language:

The governor or an active or retired supreme court justice may administer the oath to a supreme court justice. The governor, an active or retired supreme court justice, an active or retired inferior court judge, or an active or retired general sessions judge may administer the oath to an inferior court judge. Except as otherwise provided by law, the governor, an active or retired supreme court justice, an active or retired inferior court judge, or an active or retired general sessions judge may administer the oath to any elected or appointed official. The oath may be administered at any time after an appointment, in the case of appointed officials, or in the case of elected officials after the election, but before the judge or public official assumes office, so long as the results of the election establishing that the person taking the oath won the election are certified

by the appropriate legal authority. Even though an official may file an oath before the scheduled start of a term of office, the official may not take office until the term officially begins.

SECTION 3. Tennessee Code Annotated, Section 8-18-109, is amended by deleting subsection (a) and substituting instead the following:

Judges of courts of general sessions, revenue commissioners, sheriffs, constables, and other officers whose general duties are confined to a single county, as well as retired supreme court justices and retired inferior court or general sessions judges, shall, unless it is otherwise provided, file such oaths and certificate in the office of the county clerk.

SECTION 4. Tennessee Code Annotated, Section 8-18-109(b), is amended by deleting the second sentence and substituting instead the following:

The oath may be administered at any time after an appointment, in the case of appointed officials, or in the case of elected officials after the election, but before the judge or public official assumes office, so long as the results of the election establishing that the person taking the oath won the election are certified by the appropriate legal authority.

SECTION 5. This act shall take effect July 1, 2015, the public welfare requiring it.