



State of Tennessee

PUBLIC CHAPTER NO. 217

SENATE BILL NO. 596

By Gardenhire

Substituted for: House Bill No. 556

By Matheny

AN ACT to amend Tennessee Code Annotated, Section 7-86-314 and Title 8, Chapter 44, relative to members of boards of directors for emergency communications districts.

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

SECTION 1. Tennessee Code Annotated, Section 7-86-314, is amended by deleting the section in its entirety and substituting the following:

(a)(1) Effective July 1, 2017, any member of the board of directors of an emergency communications district with four (4) consecutive unexcused absences or who fails to attend at least fifty percent (50%) of regularly scheduled meetings within any twelve-month period shall automatically be removed from the board.

(2) Upon removal of a member pursuant to this subdivision (a)(1), the chair of the board of directors or acting chair shall notify the appointing authority in writing that a member has been removed and that a vacancy exists on the board. A successor shall be appointed to serve the remainder of the term of the member being replaced. Any member removed pursuant to subdivision (a)(1), shall be eligible for reappointment at any time by the appointing authority.

(b)(1) If a member of a board of directors of an emergency communications district, or a board of directors of an emergency communications district, refuses to carry out either this chapter or an order of the board after May 20, 1998, such member or board may be removed by order of the chancery court in a jurisdiction in which such emergency communications district operates, upon petition by either the board, or a city or county governing body in the service area of such district.

(2) If a member of a board of directors of an emergency communications district or a board of directors of an emergency communications district knowingly or willfully neglects to perform the duties of such office, such member or board may be removed by order of the chancery court in the jurisdiction in which the emergency communications district operates, upon petition by either the board or a county or city governing body in the service area of such district.

(3) Any member removed pursuant to subdivision (b)(1) or (b)(2) shall not be eligible for reappointment at any time.

SECTION 2. Tennessee Code Annotated, Section 8-44-108, is amended by adding the following as a new subsection:

(d) Notwithstanding this chapter to the contrary, members of an emergency communications district board of directors may participate in meetings by any electronic means approved by such board. A board member who participates in a meeting electronically under this subsection (d) is present for purposes of creating a quorum and voting on matters presented to the board for consideration during the meeting to the same extent as a board member who is physically present at the meeting. Subdivisions (c)(1), (2), and (3) shall apply to meetings held pursuant to this subsection (d).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 17, 2017




RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of April 2017



BILL HASLAM, GOVERNOR