

SENATE BILL 682

By Massey

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6; Title 7 and Title 65, relative to the
composition of certain utility boards.

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

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 53, is amended by adding the following language as a new section:

(a) This section applies to any utility that is located:

(1) In any city that has adopted home rule;

(2) In any county that has a charter form of government; and

(3) In any county having a population of not less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census.

(b) The city mayor shall select each commissioner of a utility board until the board adequately represents the proportion of customers of the utility that reside in the unincorporated areas of any county where the utility provides services in comparison to customers that reside in the incorporated areas of any county where the utility provides services.

(c)

(1) Prior to the first day of November or after any vacancy occurs on a utility board, the county mayor shall submit to the city mayor a list of three (3) nominees to fill the next term or vacancy. The three (3) nominees shall be not less than twenty-five (25) years of age.

(2) Each nominee shall reside in the unincorporated area of any county where the utility provides services.

(3) The city mayor shall fill the next term or vacancy from the list of nominees submitted by the county mayor within forty-five (45) days.

(d) On or after July 1, 2015, the respective seats of the commissioners appointed pursuant to this section shall continue to be filled by persons who reside in the unincorporated area of any county where the utility provides services.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.