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Private Acts of 1974 Chapter 206

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Private Acts of 1974 Chapter 206

SECTION 1. Effective September 1, 1974, all judicial functions, jurisdiction and duties vested in and exercised by the chairman of the Quarterly County Court of Moore County, pursuant to general law or private act are divested from such office and are transferred to and vested in the Chancellor of the Chancery Court of Moore County; and all judicial functions, jurisdiction and duties vested in the Moore County Court are divested from such court and are transferred to and vested in the Chancery Court for Moore County; and all functions, jurisdiction and duties of a judicial nature vested in the county court clerk of Moore County are divested from that office and transferred to and vested in the Clerk and Master of the Chancery Court of Moore County. Juvenile jurisdiction vested in the Court of General Sessions of Moore County by Chapter 14 of the Private Acts of 1961 shall remain in that court.

SECTION 2. The Clerk and Master shall have power to appoint administrators in all cases where the application is uncontested, and to conduct hearings on the probate of wills in common form, and to prepare and submit orders of probate for signature of the Chancellor. In all cases where the Chancellor is absent from the County, the order of probate may be signed by the Chancellor at chambers and returned by him to the Clerk and Master for entry as provided in Rule 58 of the Tennessee Rules of Civil Procedure.

SECTION 3. Appeals from actions of Chancery Court in the exercise of the jurisdiction herein transferred to it shall be taken to the Court of Appeals or to the Supreme Court of Tennessee as provided by law for appeals generally.

SECTION 4. Where the validity of any last will or testament, written or nuncupative is contested, the Chancery Court of Moore County shall cause the fact to be certified to the Circuit Court as provided in Tennessee Code Annotated, Section 32-401; or if the general law is amended giving the Chancery Courts of this State concurrent jurisdiction, then such law shall be applicable.

SECTION 5. The Chancellor may make local rules of practice and procedure in the exercise of the jurisdiction herein transferred as deemed expedient, consistent with law and with such rules as may be promulgated by the Supreme Court of Tennessee and may revise such local rules from time to time as deemed necessary and proper; but all such local rules or revisions thereof, before becoming effective, shall be approved by the Chief Justice of the Tennessee Supreme Court and the presiding judge of the Court of Appeals.

SECTION 6. The office known by the title "chairman of the County Court of Moore County" is hereby redesignated as "county administrator of Moore County." The county administrator and his successors shall be elected at the August 1974 general election by the qualified voters of Moore County and each four (4) years thereafter. The county administrator shall take office on September 1 following his election and shall serve for a term of four (4) years and until his successor is elected and qualified. He shall be eligible to succeed himself in office.

SECTION 7. The county administrator shall be paid, in accordance with Tennessee Code Annotated, Section 8-2414, an annual salary commensurate with that established for counties of the same population classification; in addition thereto, he shall be paid in accordance with the provisions of Tennessee Code Annotated, Section 5-613, as applicable to counties of the same classification, and in accordance with such other provisions of the general law as may be established from time to time by the General Assembly, commensurate with levels for counties of the same classification.

SECTION 8. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Moore County. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 9. For the purpose of approving or rejecting the provisions of this Act, as provided in Section 8, it shall be effective on becoming a law, the public welfare requiring it. For the purpose of electing a county administrator, it shall be effective upon being approved as in Section 8. For all other purposes, it shall be effective September 1, 1974.

Passed: February 20, 1974.

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