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# Private Acts of 1973 Chapter 158

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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 1973 Chapter 158

**COMPILER'S NOTE:** Section one of this act amends Private Acts of 1893 Chapter 77 and those changes are included in full in the preceding pages.

**SECTION 2.** Each and every executive, administrative and other non-judicial duty, function, authority and responsibility vested in the office of County Judge of Giles County, including service as presiding officer of the Quarterly County Court of said county, shall continue to be vested in the said officer and office, and the incumbent in the said office shall continue to bear the title of County Judge of said county, it being the legislative intent that the County Judge of Giles County be and constitute exclusively an executive and administrative office and officer and not a judicial officer and office.

**SECTION 3.** The incumbent County Judge of Giles County shall remain in that office for the remainder of such judge's elected term, and after that time shall be eligible to run and serve for a four (4) year term and as many successive four (4) year terms as such incumbent or succeeding incumbent, as the case may be, shall desire. Any incumbent shall hold the office until his successor is duly elected and qualified.

**SECTION 4.** As compensation for all of the duties of the County Judge of Giles County, such judge shall receive the compensation authorized for County Judges by the general law of the state of Tennessee, the same to be payable in equal monthly installments by warrant drawn on the general funds of the county.

**SECTION 5.** There is hereby transferred all of the judicial duties formerly vested with the County Judge of Giles County to the General Sessions Court of Giles County created by Chapter 186 of the Private Acts of 1943 and such General Sessions Court shall assume all of the judicial functions formerly exercised by the County Judge of Giles County beginning on the date of final approval of this act, including but not limited to all of the jurisdiction and authority conferred by Tennessee Code Annotated, Title 37, Chapter 2, upon the county judge or chairman of the county court as a juvenile court, and all of the jurisdiction and authority conferred by Tennessee Code Annotated, Title 16, Chapter 7, upon the county judge or chairman or the county court as a judicial officer in probate.

With respect to the judicial jurisdiction transferred by this section from the County Judge to the Court of General Sessions, the books, records, accounts, papers and documents pertaining to such judicial matters formerly under the jurisdiction of the County Judge shall remain in the custody and shall be the responsibility of the County Court Clerk and such clerk shall continue to have and perform the clerical functions with respect to such judicial matters.

As amended by: Private Acts of 1974, Chapter 309

**SECTION 6.** This Act shall have no effect unless it is approved by a majority of the number of qualified voters of Giles County voting in an election on the question of whether or not the Act should be approved. Within sixty (60) days after this act becomes a law, the County election commissioners of Giles County shall call an election for Giles County, to be held not less than thirty (30) days, nor more than one-hundred eighty days from the date of the call. The ballots used in the election shall have printed on them the substance of this Act and voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the Secretary of State as provided by law in the case of general elections. The qualifications of voters voting on the questions shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The cost of the election shall be paid by Giles County.

**SECTION 7.** 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 upon being approved as provided in Section 6.

Passed: May 3, 1973

**COMPILER'S NOTE:** Our research indicates that although the Private Acts of 1973, Chapter 158 was never certified to the Secretary of State's office, it has been acted upon by local government and is therefore operative.

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