



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Chapter VII - Elections

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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Chapter VII - Elections

Campaign Literature

Private Acts of 1982 Chapter 337

SECTION 1. In McMinn County, the distribution and/or display of campaign posters, signs or other campaign materials and the solicitation of votes for or against any person or political party or position on a question, shall be prohibited within the building in which the polling place for voters is located and on any grounds or parking areas surrounding or adjacent to the polling place; or in the alternative, such distribution, display and solicitation shall not be permitted within three hundred (300) feet of the polling place.

SECTION 2. The officer of elections shall measure off three hundred (300) feet from the entrances to the building in which the election is to be held and shall place boundary signs at that distance or the officer shall place boundary signs at the edges of the grounds and parking areas of the polling place, whichever is applicable.

SECTION 3. This act shall have no effect unless it is approved by a majority of the number of qualified voters of McMinn County voting in an election on the question of whether or not the act should be approved. The ballots used in the regular August election to be held on August 5, 1982 shall have printed on them the substance of this act and the 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 question 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 McMinn County.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, as provided in Section 3, it shall be effective upon becoming a law, but for all other purposes the provisions of the act shall be effective only upon being approved as provided in Section 3.

Passed: April 6, 1982.

Commissioner of Elections

List of Registered Voters

Private Acts of 1957 Chapter 20

SECTION 1. That the Commissioners of Elections of McMinn County, Tennessee shall furnish each political party in McMinn County, Tennessee with a certified list of the registered voters of said County, which list shall contain the names of all persons who have registered not less than twenty (20) days next preceding the date of the Primary Election. This list shall certify to the Commissioners of Elections the date upon which said Primary is to be held and the authorization for same. This certification shall be made at least thirty (30) days before said Primary election is to be held.

SECTION 2. That the certified list of registered voters shall be supplied to the said Chairman of each political party of McMinn County, Tennessee, at least five (5) days prior to the date of the Primary Election in which said list is to be used.

SECTION 3. That the said Commissioners of Elections of McMinn County, Tennessee, may require the Registrar at large for said County to prepare this list under their direction, and a charge of one cent per name may be made for these services payable by the Chairman of the Primary Board requesting such list, and this amount may be paid to said Registrar in addition to the regular compensation paid to the Registrar for the normal duties of said office.

SECTION 4. That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the County Council of any county to which it may apply on or before the next regular meeting of such County Council occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

SECTION 5. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 28, 1957.

Districts - Reapportionment

Civil Districts

Private Acts of 1953 Chapter 121

SECTION 1. That the present Civil Districts of McMinn County, Tennessee, the same being numbers one, two and three, be and the same are hereby abolished.

SECTION 2. That in lieu of the present Civil Districts heretofore existing in McMinn County, Tennessee, there are hereby created three Civil Districts for said County as follows:

(1) First Civil District. The First Civil District shall be as follows:

Beginning at the point where the L & N Railroad (Etowah-Wetmore) crosses the Polk- McMinn County line; thence in a northerly direction along said L & N Railroad to the Depot at Etowah, Tennessee; thence from said Depot to 8th Street in the City of Etowah, Tennessee; thence along 8th Street to the Good Springs Road; thence along said road to its intersection with the Big Foot Road; thence along the Big Foot Road to its intersection with the Casey Gap Road; thence in a southwesterly direction along the Casey Gap Road to the Piney Grove Road; thence in a northeasterly direction along the Piney Grove Road to Long Mill Road at W. M. Paisley's Farm thence in a northerly direction along Long Mill Road to Cedar Springs Road thence in a northeasterly direction along Cedar Springs Road to the intersection of Jackson and Main or Madison Streets in the City of Athens, Tennessee; thence along Main or Madison Street to the old Madisonville Road; thence along said Road to the L & N Railroad Branch Line; thence along said Railroad and the present 1st District Line to the point where it intersects or crosses the public road east of Slacks Chapel Church; thence north to the intersection of the Englewood- Niota Road and the Old Madisonville Road; thence in a northerly direction along the Englewood-Niota Road to the Eastanallee Creek; thence in a northeasterly direction along the Eastanallee Creek to the Monroe County line; thence in a southerly direction along the Monroe County line to the Polk County line; thence along the Polk County line to the point of beginning.

(2) Second Civil District. The Second Civil District shall be as follows:

Beginning at the point where the L & N Railroad crosses the Polk-McMinn County line; thence in a northerly direction along said L & N Railroad to the Depot at Etowah, Tennessee; thence from said Depot to 8th Street in the City of Etowah, thence along 8th Street to the Good Springs Road; thence along said Road to its intersection with the Big Foot Road; thence in a northeasterly direction along the Big Foot Road to its intersection with the Casey Gap Road; thence in a southwesterly direction along the Casey Gap Road to the Piney Grove Road; thence in a northeasterly direction along the Piney Grove Road to the Long Mill Road at W. M. Paisley's Farm thence in a northerly direction along Long Mill Road to Cedar Springs Road thence in a northeasterly direction along Cedar Springs Road to the intersection of Jackson and Main or Madison Streets in the City of Athens, Tennessee; thence along Main or Madison Street in a westerly direction to its intersection with White Street; thence in a northerly direction along White Street to the Southern Railway Viaduct; thence along Highway No. 30 to the Mouse Creek Bridge; thence due south to Highway 11 thence southwesterly along Highway 11 to the Coil Road, thence westwardly along Coil Road to the right of way of Interstate I-75 thence southwestwardly along the right of way to Interstate I-75 to the present 2nd District Line; thence due west along the present 7th precinct line to the Meigs County line; thence south along the Meigs County line to the Hiwassee River and Bradley County line; thence along said River and Bradley County line in a southeasterly direction to the Polk County line; thence along the Polk County line to the point of beginning.

(3) Third Civil District. The Third Civil District shall be as follows:

Beginning at the intersection of White and Main or Madison Streets in the City of Athens, Tennessee; thence in a northerly direction along White Street to the Southern Railway Viaduct; thence along Highway No. 30 to the Mouse Creek Bridge; thence due south to Highway No. 11; thence southwesterly along Highway No. 11 to the Coil Road; thence westwardly along Coil Road to the right of way of interstate I-75; thence southwestwardly along right of way of Interstate I-75 to the present 2nd District Line, thence due west along the present 7th precinct line to the Meigs County line; thence north with the Meigs County line to the Roane County line; thence in a westerly direction with the Roane County line to the Loudon County line; thence with the Loudon County line

to its intersection with Eastanallee Creek; thence in a southwesterly direction along Eastanallee Creek to the Englewood-Niota Road; thence in a southerly direction along said Road to the Madisonville Road; thence due south to the present 1st District line; thence in a westerly direction along said present 1st District line to the Madisonville Road; thence in a westerly direction along said Madisonville Road to Madison Street in the City of Athens, Tennessee; thence along Madison Street and Main Street to the intersection with White Street and the beginning point.

As amended by: Private Acts of 1969, Chapter 36

SECTION 2. That the voting precinct in the newly created Civil Districts shall be composed as follows:

The first Civil District shall be composed of the following precincts: The 2nd, 4th, 5th, 10th, and 13th as they are presently established.

The Second Civil District shall be composed of the following precincts: The 1st, 3rd, 7th, 8th, 12th, 15th, and 18th as they are presently established.

The Third Civil District shall be composed of the following precincts: the 6th, 9th, 11th, 14th, 16th, and 17th as they are presently established.

COMPILER'S NOTE: This Act does not contain a Section 3.

SECTION 4. That the County Court of McMinn County shall fix the places of voting in the 18 precincts set out in Section 2, and that until such action is taken by the said Court the places of voting shall remain as they are presently established, with the exception of the 1st precinct, which shall hereafter have its voting place at the City Park School in Athens, Tennessee.

COMPILER'S NOTE: Sections 2 and 4 of this Act may have been superseded by the Tennessee "Election Code," specifically T.C.A. 2-3-102 which provides that precincts will be established by the County Election Commission.

SECTION 5. That from and after the passage of this Act the offices of Justice of Peace and Constable in the District be abolished, and the same are hereby abolished.

SECTION 6. That the Board of Election Commissioners shall hold the next General Election in August, 1954 under the provisions of this Act, for the election of Justices of the Peace and Constables in the Civil Districts as herein established; and that said Board of Election Commissioners shall cause the Registrar-at-large for McMinn County to make the necessary changes on the registration records in cases where precincts are placed in new districts bearing a designation different from that previously held, said changes to be made at least ninety (90) day before the August, 1954 General Election for McMinn County.

SECTION 7. That should any section, clause or provision of this Act be held unconstitutional for any reason, the same shall not affect the validity of the Act as a whole or any part hereof other than the part so held to be unconstitutional, it being the legislative intent of this Act that every section, paragraph and provision of this Act is severable and may be elided if held unconstitutional without affecting the remainder of the Act.

SECTION 8. That this Act take effect on September 1, 1954, the public welfare requiring it.

Passed: March 9, 1953.

Elections - Historical Notes

The following is a listing of acts for McMinn County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1831, Chapter 57, provided that there would be a precinct polling place at the house of James Grigg in McMinn County.
2. Acts of 1841-42 (Ex. Sess.), Chapter 1, provided that McMinn County jointly with Polk and Monroe Counties would elect one representative to the state house of representatives. This act also provided for the election of one State Senator from McMinn County.
3. Acts of 1841-42 (Ex. Sess.), Chapter 7, placed McMinn in the Third U.S. Congressional District.
4. Private Acts of 1907, Chapter 18, abolished the Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Eleventh, Twelfth, Thirteenth and Seventeenth Civil Districts of McMinn County, Tenn., and constituted new voting precincts for other districts.
5. Acts of 1907, Chapter 102, abolished the then-existing civil district and redistricted the county into six civil districts. This act was amended several times; by Private Acts of 1911, Chapter 562, to change the boundary between the Second and Fourth Civil Districts; by Private Acts of 1915, Chapter 38, to change the boundary between the First and Third Civil Districts; by Private Acts of

- 1917, Chapter 125; to change the line between the First and Fourth Civil Districts and by Private Acts of 1917, Chapter 126, to change the boundaries between the Second and Third Civil District.
6. Private Acts of 1911, Chapter 212, provided that registration was not a prerequisite to voting in McMinn County in any national, state, county or civil district election; though cities might require voters to register before voting in a city election. This act was amended by Private Acts of 1937 (Ex. Sess.), Chapter 38, which provided for the registration of voters as a prerequisite to the elective franchise but only in incorporated towns.
 7. Private Acts of 1919, Chapter 663, changed the line between the First and Second Civil District of McMinn County.
 8. Private Acts of 1921, Chapter 151, specified that registration was not to be a prerequisite to voting in any election held in McMinn County, including municipal elections.
 9. Private Acts of 1921, Chapter 152, provided additional voting precincts in McMinn County and designated the polling places within each precinct.
 10. Private Acts of 1923, Chapter 539, changed the line between the First and Second Civil District and also altered the boundary lines between the Ninth and Sixteenth Voting Precincts.
 11. Private Acts of 1929, Chapter 606, allowed an election officer to mark the ballot of any voter who was unable to mark his own, provided that such was done in the presence of not less than two of the judges of the election, who were not to be members of the same political party.
 12. Private Acts of 1929, Chapter 607, established the Sixth and Twenty-third Voting precincts in the Second Civil District of McMinn County and established the polling places in those precincts.
 13. Private Acts of 1931 (Ex. Sess.), Chapter 2, provided for the appointment of a "Deputy Registrar" in McMinn County, though it is likely that this act was meant to provide for the appointment of a deputy "register."
 14. Private Acts of 1933, Chapter 836, eliminated the seventeenth voting precinct of McMinn County and added its area to the Fifteenth and Sixteenth voting precincts of the county.
 15. Private Acts of 1935, Chapter 585, took a portion of the area in the 11th, 12th and 15th voting precincts of McMinn County and placed it all in the 12th voting precinct of the Third Civil District.
 16. Private Acts of 1941, Chapter 261, abolished the six civil districts then-existing in McMinn County and redistricted the county into three civil districts. The boundaries of the second and third civil districts were changed by an amendment found in the Private Acts of 1949, Chapter 205, but before this amendment could take effect, the original act was repealed by Private Acts of 1949, Chapter 541.
 17. Private Acts of 1949, Chapter 582, was a lengthy act setting up a comprehensive plan for permanent registration of McMinn County voters.

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