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County Legislative Body

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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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County Legislative Body

Justices of the Peace

Private Acts of 1965 Chapter 102

COMPILER'S NOTE: This act may be superseded by T.C.A. 5-5-107.

SECTION 1. That Section 1 of Chapter No. 338 of the Private Acts of 1927, the caption of which is set out hereinabove, be and the same is hereby amended by striking therefrom the words and figures "\$4.00 per day, and mileage" and by substituting in lieu of said words and figures the following words and figures:

"Fifteen Dollars (\$15.00) per day, and mileage at the rate of ten cents (10¢) per mile from his place of residence to the courthouse and back."

SECTION 2. That this Act shall be void and of no effect unless the same shall be approved by a two-thirds vote of the Quarterly County Court of any county to which it may apply. The action of the Quarterly County Court hereon shall be proclaimed by the presiding officer of said county court, and shall be certified by him to the Secretary of State.

SECTION 3. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 1, 1965.

Private Acts of 1976 Chapter 246

SECTION 1. In elections for members of the Haywood Quarterly County Court, two (2) justices of the peace shall be elected from each magisterial district. In each magisterial district, there is hereby designated justice of the peace, position 1, and justice of the peace, position 2. For purposes of qualifying for office of justice of the peace, a candidate shall declare for justice of the peace, position 1, or justice of the peace, position 2. The voters of each magisterial district shall vote for one (1) candidate for justice of the peace, position 1, and for one (1) candidate for justice of the peace, position 2. The candidate with the largest number of votes for each justice of the peace position shall be elected to that respective justice of the peace position.

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

SECTION 3. 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 2.

Passed: March 10, 1976.

Nepotism Policy Act

Private Acts of 1985 Chapter 27

SECTION 1. This Act shall be known and may be cited as the "Haywood County Employees Uniform Nepotism Policy Act of 1985".

SECTION 2. As used in this Act, unless the context otherwise requires:

(1) "Governmental entity" means any Haywood County agency, authority, board, commission, department, or office within the executive, judicial branch or legislative branch of county government or any autonomous Haywood County agency, authority, board, commission, department, office;

(2) "Relative" means a parent, foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household;

(3) "County employee" means any person who is employed by any county governmental entity of Haywood County.

SECTION 3. Within each governmental entity, no county employees who are relatives shall be placed within the same direct line of supervision whereby one (1) relative is responsible for supervising the job performance or work activities of another relative; provided, however, to the extent possible, the provisions of this Act shall not be construed to prohibit two (2) or more such relatives from working within the same county governmental entity.

SECTION 4. When as a result of a marriage, county employees are in violation of the prohibition established by Section 3, such violation shall be resolved by means of such transfer within the governmental entity, transfer to another governmental entity, or resignation as may be necessary to remove such violation. Such employees shall be given the opportunity to select among such available alternatives. If such employees are unable to agree upon any such alternative within sixty (60) days, then the appointing authority shall take appropriate action to remove such violation.

SECTION 5. The prohibition established by this Act shall not be applied retroactively but shall be adhered to by each governmental entity in all hiring and employee transactions after the ratification of this Act as required in Section 7.

SECTION 6. The provisions of this Act shall be applied uniformly and shall constitute the nepotism policy of each governmental entity. No such governmental entity shall adopt a nepotism policy which conflicts with the provisions of this Act.

SECTION 7. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Haywood County before September 1, 1985. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 8. 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 7.

Passed: March 18, 1985.

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