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# Private Acts of 1941 Chapter 440

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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 1941 Chapter 440

**SECTION 1.** That any rural electric membership corporations or any rural electric membership cooperatives heretofore chartered and organized and doing business in Counties having a population of not less than 27,200, nor more than 27,250, according to the Federal Census of 1940, or any subsequent Federal Census, be, and the same are, hereby authorized, permitted and vested with the exclusive right, privilege and franchise of serving, transmitting, distributing, selling and supplying with electric energy and power all territories located within said Counties outside of any incorporated City or Town now being served by other electric membership corporations, cooperatives, or local City electric distribution systems.

**SECTION 2.** That said rural electric membership corporations, or cooperatives, now operating or doing business in said Counties coming under the provisions of this Act, shall have the exclusive right, privilege and franchise to promote, extend, construct, maintain and operate electric transmissions and distribution lines, along, upon, under and across all public thoroughfares, including without limitation all roads, highways, alleys and causeways, and upon, under and across all public owned lands located in said territories outside of any City, Town and Municipal corporation now being served by some other electric membership cooperative or City distribution system; provided, however, that the respective authorities having jurisdiction thereof shall consent thereto.

**SECTION 3.** That any said rural electric membership corporation, cooperative or City electric distribution system now operating in said territory coming under the provisions of this Act is hereby permitted by mutual agreement in writing to permit any other City electric distribution system, rural electric membership corporation or cooperative to encroach upon said territories herein described coming within the provision of this Act and by said mutual agreement in writing permit said other rural electric membership corporation, cooperative, or City electric distribution system to construct electric lines and to serve with electric energy or power any person, firm or corporation located within said territories so described herein and coming within the provisions of this Act.

**SECTION 4.** That should any section, paragraph, clause, phrase or word of this Act be held unconstitutional, the same shall not affect the constitutionality of any portion of this Act other than the part so held to be unconstitutional.

**SECTION 5.** That all laws, or parts of laws, in conflict with this Act, be, and the same are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

PASSED: February 15, 1941.

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