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Chapter VII - Elections

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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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Chapter VII - Elections

Civil Districts

Private Acts of 1947 Chapter 753

COMPILER'S NOTE: The civil districts are no longer used as district boundaries for election of county legislative body (county commission) members, but the general law at T.C.A. § 5-1-112 left these civil district boundaries undisturbed for real property record-keeping purposes. This act is superseded by the Knox County Charter, Chapter 2, Article 1, Section 2-1 subject to continuation by ordinance of the county commission. This act is reproduced for its relevance to land records in Knox County.

SECTION 1. That the Civil Districts of Knox County as now existing, seventeen (17) in number, be and the same hereby are abolished, and that the said County be divided into nine (9) Civil Districts, numbered and bounded as follows:

FIRST DISTRICT: The First District shall consist of all territory now embraced in the following Wards of the City of Knoxville, to-wit: 1, 2, 3, 4, 12, 13 and 14, and said District containing the County Town shall elect three Justices of the Peace and two Constables.

SECOND DISTRICT: The Second District shall consist of the territory now embraced in the following Wards of the City of Knoxville, to-wit: Nos. 5, 7, 15 and 16, and shall elect two Justices of the Peace and one Constable.

THIRD DISTRICT: The Third District shall consist of the territory now embraced in the following Wards of the City of Knoxville, to-wit: Nos. 8, 11, 20 and 21, and shall elect two Justices of the Peace and one Constable.

FOURTH DISTRICT: The Fourth District shall consist of the territory now embraced in the following Wards of the City of Knoxville, to-wit: Nos. 6, 9, 10 and 22, and shall elect two Justices of the Peace and one Constable.

FIFTH DISTRICT: The Fifth District shall consist of the territory now embraced in the Eighth Civil District of Knox County and in the following Wards of the City of Knoxville, to-wit: Nos. 19, 23 and 24, and shall elect two Justices of the Peace and one Constable.

SIXTH DISTRICT: The Sixth District shall consist of the territory now embraced in the following Civil Districts of Knox County, to-wit: Nos. 6, 7, 9 and 16, and shall elect two Justices of the Peace and one Constable.

As amended by: Private Acts of 1953, Chapter 454

SEVENTH DISTRICT: The Seventh District shall consist of the territory now embraced in the Second Civil District of Knox County and in the Seventeenth and Eighteenth Wards of the City of Knoxville, and shall elect two Justices of the Peace and one Constable.

EIGHTH DISTRICT: The Eighth District shall consist of all territory now embraced in the following Civil Districts of said County, to-wit: Nos. 4, 5, 13 and 15, and shall elect two Justices of the Peace and one Constable.

NINTH DISTRICT: The Ninth District shall consist of the territory now embraced in the Third, Fourteenth and Seventeenth Civil Districts of Knox County, and in the Twenty-fifth and Twenty-sixth Wards of the City of Knoxville, and shall elect two Justices of the Peace and one Constable.

TENTH DISTRICT: The Tenth District shall consist of the territory embraced prior to the enactment of Chapter 753 of the Private Acts of the General Assembly of the State of Tennessee for the year 1947 in the following Civil Districts of Knox County, to wit: number 10 and 11, and shall elect two Justices of the Peace and one Constable, and one member of School Board.

As amended by: Private Acts of 1953, Chapter 454

SECTION 2. That the office of Justice of the Peace in each incorporated town contained in Knox County be and the same hereby is abolished, and no incorporated town in said County shall elect or have power to elect any Justice of the Peace.

SECTION 3. That the number of Civil Districts of Knox County, as herein established, shall not be increased or diminished except by Act of the General Assembly of the State of Tennessee.

SECTION 4. That this statute shall not affect the present term of the office of the Justices of the Peace and Constables of Knox County elected from the Civil Districts of said County as now constituted and existing, and as to them this Act shall take effect September 1, 1948; but in order that the Quarterly

County Court of Knox County and the Commissioners of Election of said County may make provision for voting precincts and registration of voters and for an election according to the provisions of this Act, and for all other purposes, this Act shall take effect June 1, 1948.

SECTION 5. That if any clause, sentence, paragraph, section or any part of this Act shall be held or declared to be unconstitutional and void, it shall not affect the remaining part or parts of this Act, it being hereby declared to be the legislative intent to have passed the remainder of this Act, notwithstanding the part so held to be invalid, if any.

SECTION 6. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 14, 1947.

Elections - Historical Notes

The following is a listing of acts for Knox 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 are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1803, Chapter 24, divided the state into five electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Knox, Sevier, Blount, Roane and Anderson composed the third section and elected one elector.
2. Acts of 1812, Chapter 5, divided the state into eight electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Knox, Blount, Roane, Campbell and Anderson composed the third electoral district and elected one elector.
3. Acts of 1812, Chapter 27, provided for the election of representatives from Tennessee to the United States Congress. The counties of Knox, Jefferson, Grainger, Claiborne, Sevier, Blount and Cocke composed the second congressional district and elected one representative to Congress.
4. Acts of 1812, Chapter 57, apportioned the representation of the state in the Tennessee State Legislature. Knox County composed one election district and elected one senator.
5. Acts of 1815, Chapter 117, established a separate precinct at the house of Jacob Gibbs on Beaver Creek.
6. Public Acts of 1819, Chapter 69, apportioned the representation of the state in the Tennessee State Legislature. Knox County composed one election district and elected one senator. In addition, Knox County elected one representative for the state legislature.
7. Public Acts of 1822, Chapter 1, divided the state into congressional districts. The counties of Knox, Grainger, Claiborne, Cocke, Jefferson, Sevier and Blount composed the second congressional district.
8. Public Acts of 1823, Chapter 47, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Knox, Blount, Anderson, Morgan and Roane composed the third electoral district and elected one elector.
9. Public Acts of 1824, Chapter 1, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The third electoral district was composed of the counties of Knox, Blount, Anderson, Morgan and Roane and elected one elector.
10. Public Acts of 1826, Chapter 3, apportioned the representation in the state legislature. The counties of Knox and Anderson composed one election district and elected one senator. In addition, Knox and Anderson counties jointly elected one representative to the state legislature.
11. Public Acts of 1827, Chapter 17, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The third electoral district was composed of the counties of Knox, Blount, Anderson, Morgan and Roane and elected one elector.
12. Private Acts of 1829-30, Chapter 298, provided that it be the duty of the justices of the peace of each captain's company in Knox County, to attend at their company muster ground, on the days appointed to hold elections for governor, members of the general assembly, members to the United States Congress and to elect electors for president and vice president of the United States. This act was amended by Private Acts of 1831, Chapter 29, by providing that persons could not vote in a different company than the one in which they were a part of; established places of voting and authorized the sheriff of Knox County to hold elections if a justice of the peace was not available to do so.

13. Public Acts of 1832, Chapter 4, divided the state into districts for the election of representatives to the United States Congress. The counties of Knox, Anderson, Sevier, Blount and Monroe composed the third congressional district.
14. Public Acts of 1832, Chapter 9, divided the state into fifteen electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Knox, Anderson, Campbell, Morgan and Roane composed the fourth electoral district.
15. Public Acts of 1833, Chapter 71, divided the state into representative and senatorial districts. The counties of Knox, Anderson, Campbell and Morgan composed one election district, and elected one senator. In addition, the counties of Knox, Greene, Monroe and McMinn elected and returned one representative each.
16. Public Acts of 1833, Chapter 76, provided for the calling of a state convention for the purpose of revising and amending the state constitution. Knox County composed one district and elected one delegate to the state convention.
17. Public Acts of 1835-36, Chapter 39, divided the state into fifteen electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Knox, Anderson, Campbell, Morgan and Roane composed the fourth electoral district.
18. Acts of 1842 (Ex. Sess.), Chapter 1, apportioned the representation in the general assembly. Knox County composed the fifth senatorial district and elected one senator and one representative.
19. Acts of 1842 (Ex. Sess.), Chapter 7, divided the state into congressional districts for the election of representatives to the United States Congress. Knox, Roane, Bledsoe, Rhea, Meigs, McMinn, Polk, Bradley, Hamilton and Marion counties composed the third congressional district.
20. Acts of 1851-52, Chapter 196, divided the state into congressional districts for the election of representatives to the United States Congress. The counties of Knox, Grainger, Claiborne, Campbell, Scott, Anderson, Morgan, Fentress and Overton composed the second congressional district.
21. Acts of 1851-52, Chapter 197, apportioned the representation in the general assembly of the state. Knox County elected one representative and composed a senatorial district with Roane County.
22. Private Acts of 1857-58, Chapter 69, Section 10, established a new civil district in east Knoxville. This act was repealed before it could have any effect, by Private Acts of 1857-58, Chapter 85, Section 23.
23. Public Acts of 1865, Chapter 34, divided the state into congressional districts for the election of representatives to the United States Congress. The counties of Knox, Morgan, Claiborne, Union, Campbell, Scott, Anderson, Blount, Monroe, Polk, McMinn, Bradley and Roane composed the second congressional district.
24. Public Acts of 1870-71, Chapter 60, set the boundaries of the second civil district and provided for the election of one more justice of the peace from that district. This act was repealed in the next session of the legislature, by Public Acts of 1873, Chapter 84.
25. Public Acts of 1871, Chapter 146, apportioned the senatorial and representative districts in the state. Knox County elected one representative and also elected a representative jointly with Anderson County. The fourth senatorial district was composed of Knox, Union, Grainger and Anderson counties.
26. Acts of 1872 (Ex. Sess.), Chapter 7, divided the state into congressional districts to apportion the representation of the state in the United States Congress. The second congressional district was composed of the counties of Knox, Sevier, Jefferson, Anderson, Campbell, Scott, Morgan, Fentress, Cumberland, White, Putnam, Overton, Jackson, Smith Macon and Clay.
27. Public Acts of 1873, Chapter 27, divided the state into congressional districts to apportion the representation of the state in the United States Congress. The second congressional district was composed of the counties of Knox, Jefferson, Sevier, Blount, Monroe, Loudon, Roane, Anderson, Campbell, Scott, Morgan and Union.
28. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the state into senatorial and representative districts. Knox County elected one representative and jointly elected a representative with Loudon County. Knox and Anderson counties composed the fifth senatorial district.
29. Public Acts of 1882 (2nd Sess.), Chapter 27, divided the state into congressional districts to apportion the representation of the state in the United States Congress. The second congressional

- district was composed of Knox, Anderson, Jefferson, Union, Sevier, Blount, Loudon, Roane, Morgan, Campbell and Scott counties.
30. Public Acts of 1891, Chapter 131, divided the state into congressional districts to apportion the representation of the state in the United States Congress. Knox, Jefferson, Union, Sevier, Blount, Loudon, Roane, Anderson, Morgan, Campbell and Scott counties composed the second congressional district.
 31. Acts of 1891, Extra Session, Chapter 10, apportioned the counties of the state into senatorial and representative districts. Knox County elected three representatives and jointly elected a representative with Union County in the third representative district. Knox County composed the fourth senatorial district.
 32. Public Acts of 1901, Chapter 109, divided the state into congressional districts to apportion the representation of the state in the United States Congress. Knox County was placed in the second congressional district, along with Hamblen, Jefferson, Blount, Loudon, Roane, Scott, Anderson, Campbell and Union counties.
 33. Public Acts of 1901, Chapter 122, apportioned the counties of the state into senatorial and representative districts. Knox County composed the fifth senatorial district and elected three representatives alone and one jointly with Loudon County in the eighth representative district.
 34. Acts of 1903, Chapter 424, redistricted Knox County into twelve civil districts.
 35. Acts of 1907, Chapter 372, was another redistricting act for Knox County, creating three more civil districts in addition to the twelve already in existence.
 36. Private Acts of 1915, Chapter 365, created the sixteenth civil district out of parts of the seventh and eighth civil districts.
 37. Private Acts of 1915, Chapter 687, also created an additional civil district, out of parts of the third civil district. This act also named the newly created district the sixteenth civil district, but since this was in conflict with Private Acts of 1915, Chapter 365, Chapter 687 was amended by Private Acts of 1917, Chapter 87, to change the name of the district to the seventeenth civil district of Knox County.
 38. Private Acts of 1917, Chapter 118, established a compulsory system of legalized primary elections for making political nominations throughout the state and created the agencies for its operations and penalized its violations. This act was amended by Private Acts of 1925, Chapter 49, by providing for the election of county executive committeemen by the vote of the people of Knox County. Private Acts of 1929, Chapter 13, repealed Private Acts of 1925, Chapter 49.
 39. Private Acts of 1921, Chapter 702, set the salaries of election officers in Knox County at \$2.50 per day.
 40. Private Acts of 1929, Chapter 63, amended the general election law of 1859-60 to provide that in Knox County the polls would open at 9:00 A.M. and close at 7:00 P.M.
 41. Private Acts of 1933, Chapter 489, provided for a biennial voter registration period of five days in Knox County with supplemental registration for two days, with the registrar's offices to be open from 9:00 A.M. to 8:00 P.M. during these registration days. This act was repealed entirely by Private Acts of 1978, Chapter 165.
 42. Private Acts of 1945, Chapter 160, directed the City of Knoxville and Knox County each to pay \$4.00 per day to each member of the general assembly representing Knox County during sessions for the purpose of enabling said members to pay their legitimate expenses, and authorized the city and county to make appropriations for such purposes. This act was repealed by Public Acts of 1977, Chapter 160.
 43. Private Acts of 1945, Chapter 488, provided that the commissioner of elections in Knox County would receive a monthly salary of \$40. This act also authorized the employment of a chief clerk in the commissioner's office, at an annual salary of \$1,800. This act was first amended by Private Acts of 1953, Chapter 401, which raised these salaries to \$50 per month and \$3,000 annually. Private Acts of 1959, Chapter 206, raised the commissioner of elections monthly compensation to \$100 and Private Acts of 1961, Chapter 339, was an attempted amendment which would have raised the chief clerk's salary to \$4,200 per year. This 1961 act failed to gain local approval and never became an effective law, and Private Acts of 1945, Chapter 488, and all its amendments were repealed by Private Acts of 1967-68, Chapter 202.
 44. Private Acts of 1945, Chapter 543, authorized a system of permanent registration of Knox County voters and made registration a prerequisite to voting in Knox County elections. This act was amended by Private Acts of 1947, Chapter 146, to provide for assistants to the registrar-at-large,

and to increase the compensation paid to the various election commission employees, and this amendment was specifically repealed by Private Acts of 1967-68, Chapter 202. Private Acts of 1945, Chapter 543, has itself been superseded by the general registration statutes now found in title 2, chapter 2 of Tennessee Code Annotated.

45. Private Acts of 1947, Chapter 145, set the per diem of precinct election officers at \$5.00.
46. Private Acts of 1955, Chapter 418, attempted to amend the redistricting act found in Private Acts of 1947, Chapter 753, by changing the boundaries of the eighth, tenth and eleventh civil districts, but this act never became effective, failing to receive local ratification.
47. Private Acts of 1963, Chapter 17, as amended by Private Acts of 1965, Chapter 91, Private Acts of 1972, Chapter 226 and Private Acts of 1980, Chapter 234, set the per diem of precinct election officials in Knox County at \$30 per day and allowed an additional \$10 for procuring the precinct ballot box and election supplies. This act is superseded by general law and the Knox County Charter, Section 8.12, pursuant to T.C.A. § 5-1-210.
48. Private Acts of 1965, Chapter 91, would have set the per diem of precinct election officials at \$15, with an additional \$5.00 for procuring the ballot box and election supplies, but this act was not approved by local authorities and never became effective.
49. Private Acts of 1967-68, Chapter 202, provided for the employment of a registrar-at-large and clerical assistants by the election commission of Knox County.
50. Private Acts of 1971, Chapter 38, provided for the Knox County Election Commission to compile a list of newly registered voters by wards on a monthly basis. This act is superseded by general law and the Knox County Charter, Section 8.12, pursuant to T.C.A. § 5-1-210.
51. Private Acts of 1971, Chapter 45, was the first private act providing for a primary election to select political nominees for county offices in Knox, but it was repealed by the current law, Private Acts of 1973, Chapter 156.
52. Private Acts of 1971, Chapter 64, created the Office of Legislative Affairs for Knox County. This act is superseded by the Knox County Charter, Section 8.12, pursuant to T.C.A. § 5-1-210. Private Acts of 2013, Chapter 6, repealed Private Acts of 1971, Chapter 64.
53. Private Acts of 1971, Chapter 76, would have prohibited the use of the unit rule in political conventions of parties in Knox County, but this act did not receive local approval and never became effective.
54. Private Acts of 1972, Chapter 240, failed to win local ratification, but it would have required any voter applying for a ballot in a primary election to give the address of his residence.
55. Private Acts of 1972, Chapter 351, provided for a referendum in Knox County on the question of permitting the use of tandem freight trailers on Tennessee's roads, streets and highways at the August 3, 1972 general election.
56. Private Acts of 1972, Chapter 368, would have provided for the holding of a gubernatorial preference primary in Knox County, but this act did not receive local ratification and never became an effective law.
57. Private Acts of 1973, Chapter 68, provided for a referendum in Knox County on the question of a United States Constitutional Amendment to permit voluntary prayer in public schools at the August 1, 1974 general election.
58. Private Acts of 1973, Chapter 156, as amended by the Private Acts of 1976, Chapter 207 and the Private Acts of 1977, Chapter 97, provided for a primary election to be held in Knox County for the selection of all political party nominees qualified under state law as political parties, for the selection of candidates for all county offices and other offices which are filled at the general August election in each even numbered year. This act repealed Private Acts of 1971, Chapter 45, and is superseded by the Knox County Charter, Section 8.12, pursuant to T.C.A. § 5-1-210.
59. Private Acts of 1974, Chapter 199, was an attempted amendment to the 1973 primary election law which did not receive local ratification. This attempted amendment would have provided that before a write-in candidate could become the nominee of a local political party, he would have to receive 10% of the total primary vote.
60. Private Acts of 1976, Chapter 259, would have amended Private Acts of 1963, Chapter 17, by increasing the per diem of \$20 to \$30 but was not acted on by local officials and therefore never became law.
61. Private Acts of 1979, Chapter 161, would have amended Private Acts of 1973, Chapter 156, by providing that the provisions of the act apply to the county legislative body and the county

executive whenever a special election is called for such county offices, however, this act was rejected or disapproved by Knox County and never became operative.

62. Private Acts of 2012, Chapter 35, would have repealed Private Acts of 1971, Chapter 64, which created the Office of Legislative Affairs for Knox County, however, no action was taken by Knox County and it never became operative.

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