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Chapter VII - Elections

Dear Reader:

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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

Districts - Reapportionment

Private Acts of 1949 Chapter 789

COMPILER'S NOTE: See also Private Acts of 1961, Chapter 8, immediately following this act, and which is amendatory to it.

WHEREAS, the existing Districts of Johnson County, Tennessee, were laid out by Commissioners appointed pursuant to Chapter 1, Public Acts of 1836; and,

WHEREAS, the Fifth Civil District of Johnson County, Tennessee, is being, to a large extent, inundated by the Tennessee Valley Authority's Watauga Lake; and,

WHEREAS, the Town of Butler, Tennessee, which was the principal center of population in the District, has been abolished and the population thereof entirely removed;

SECTION 1. That the part of the Fifth Civil District of Johnson County, Tennessee, lying North of the center of the bed of Roans Creek as it meanders from East to West through the old Fifth Civil District and lying West of the center of the bed of Doe Creek as it meanders from North to South through the old Fifth Civil District to Roans Creek be and the same is hereby attached to, incorporated in and made a part of the Sixth Civil District of said Johnson County, Tennessee, the boundaries of which are hereby enlarged so as to encompass all of said old Fifth Civil district lying North of the center of the bed of Roans Creek and West of the center of the bed of Doe Creek.

As amended by: Private Acts of 1953, Chapter 184

SECTION 2. That all of the old Fifth Civil District of Johnson County, Tennessee, lying East of the center of the bed of Doe Creek as it meanders from North to South to Roans Creek and all of the old Fifth Civil District of Johnson County, Tennessee, lying South of the center of the bed of Roans Creek as it meanders from East to West through the old Fifth Civil District, whether East or West of Watauga River, be and the same is hereby attached to, incorporated in and made a part of the old Tenth Civil District of said County, hereinafter renumbered the Fifth Civil District, the boundaries of which are hereby enlarged so as to encompass all of said Fifth Civil District lying East of the center of the bed of said Doe Creek and South of the center of the bed of said Roans Creek, whether East or West of Watauga River.

As amended by: Private Acts of 1953, Chapter 184

SECTION 3. That the present Fifth Civil District is abolished and the present Tenth Civil District, as enlarged, is renumbered Civil District No. 5.

SECTION 4. That the officers elected from and for Civil Districts Six and Ten, herein renumbered Five, shall continue to serve as the officers of these Districts as extended and regardless of the renumbering thereof, it being the expressed intent of the Legislature that no change shall be effected by this Act, with regard to this matter, other than the abolition of the old Fifth Civil District and the addition of the territory formerly embraced in the old Fifth Civil District to the adjacent Sixth Civil District and Tenth Civil district, renumbered Civil District No. 5.

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

Passed: April 13, 1949.

Private Acts of 1961 Chapter 8

SECTION 1. That Chapter 789 of the Private Acts of 1949, the caption of which is quoted in the caption of this Act, be and the same is hereby amended so as to restore the Tenth Civil District of Johnson County as same existed prior to the effective date of Chapter 789 of the Private Acts of 1949, thereby bringing the number of civil districts in said county to ten (10).

SECTION 2. That this Act shall take effect on September 1, 1962, but that the magistrates for the new Tenth Civil District shall be elected at the general election to be held in August of 1962.

SECTION 3. That this Act shall be of no effect unless it shall be approved by a twothirds vote of the quarterly county court of Johnson County at the next regular meeting of such court occurring more than thirty (30) days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of said court and shall be certified by him to the Secretary of State.

Passed: January 25, 1961.

Elections - Historical Notes

The following is a listing of acts for Johnson County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes.

1. Public Acts of 1835-36, Chapter 2, Section 7, provided that the sheriff or coroner of Carter County hold the first election for Johnson County for justices of the peace and constables.
2. Acts of 1842 (2nd Sess.), Chapter 1, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Johnson, Carter, Sullivan and Washington composed the first senatorial district. Johnson and Carter counties jointly elected one representative, the polls of which were compared at Fish Springs in Carter County. Acts of 1843-44, Chapter 150, amended this act so as to provide that the polls be compared at Elizabethton in Carter County, instead of in Fish Springs, on the first Monday after the election of a representative. This act was repealed by Public Acts of 1978, Chapter 597.
3. Acts of 1842 (2nd Sess.), Chapter 7, divided the state into congressional districts for the election of representatives to United States Congress. The counties of Johnson, Carter, Sullivan, Washington, Hawkins, Greene and Cocke were placed in the first congressional district.
4. Acts of 1851-52, Chapter 196, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Johnson, Carter, Sullivan and Washington composed the first senatorial district. Johnson and Carter counties jointly elected one representative, the polls of which were compared at Elizabethton.
5. Acts of 1851-52, Chapter 197, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. Johnson, Carter, Washington and Carter counties composed one senatorial district. The counties of Johnson and Carter jointly elected one representative the polls of which were compared at Elizabethton.
6. Public Acts of 1865, Chapter 34, divided the state into congressional districts for the election of representatives to United States Congress. The counties of Johnson, Carter, Sullivan, Washington, Hancock, Hawkins, Grainger, Greene, Sevier, Jefferson and Cocke were placed in the first congressional district.
7. Public Acts of 1871, Chapter 146, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Johnson, Carter, Washington and Greene composed the first senatorial district. Johnson and Carter counties jointly elected one representative.
8. Acts of 1872 (Ex. Sess.), Chapter 7, divided the state into congressional districts for the election of representatives to United States Congress. The counties of Johnson, Carter, Sullivan, Washington, Hancock, Hawkins, Grainger, Union, Hamblen, Greene and Cocke were placed in the first congressional district.
9. Public Acts of 1873, Chapter 27, divided the state into congressional districts for the election of representatives to United States Congress. The counties of Johnson, Carter, Sullivan, Washington, Greene, Hawkins, Hancock, Claiborne, Grainger, Hamblen and Cocke were placed in the first congressional district.
10. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Johnson, Carter, Washington, Sullivan and Unicoi composed the first senatorial district. Johnson and Carter counties jointly elected one representative. Johnson County also jointly elected another representative with the following counties: Carter, Washington, Unicoi, Greene and Sullivan.
11. Public Acts of 1882 (2nd Ex. Sess.), Chapter 27, divided the state into congressional districts for the election of representatives to United States Congress. The counties of Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger were placed in the first congressional district.
12. Public Acts of 1891, Chapter 131, divided the state into congressional districts for the election of representatives to United States Congress. The counties of Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger were placed in the

- first congressional district.
13. Acts of 1891 (Ex. Sess.), Chapter 10, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Johnson, Carter, Washington, Greene and Unicoi composed the first senatorial district. Johnson, Sullivan and Washington counties jointly elected one representative.
 14. Public Acts of 1901, Chapter 109, divided the state into congressional districts for the election of representatives to United States Congress. The counties of Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins, Greene, Sevier, Hancock, Claiborne, Cocke and Grainger were placed in the first congressional district.
 15. Public Acts of 1901, Chapter 122, apportioned the representation in the general assembly of the state by creating senatorial districts and providing for the election of representatives by the counties of the state. The counties of Johnson, Carter, Washington, Greene and Unicoi composed the first senatorial district. Johnson and Carter Counties jointly elected one representative.
 16. Private Acts of 1951, Chapter 235, set the pay of Johnson County Election Officials at \$5.00 per day. This was amended by Private Acts of 1963, Chapter 187, which increased their salary to \$7.00 per day.
 17. Private Acts of 1955, Chapter 152, attempted to repeal the redistricting act found in Private Acts of 1949, Chapter 789, but it was not ratified on the local level.
 18. Private Acts of 1963, Chapter 185, set the time for opening and closing the primary and general election polls in Johnson County from 9:00 A.M. to 6:00 P.M.
 19. Private Acts of 1976, Chapter 284, was the legal authority for the quarterly county court of Johnson County to call by a resolution of the court for an advisory referendum of the people to take place at the May 25, 1976 presidential preference primary on the question of sale of beer and alcoholic beverages of less than 5%. This act was rejected by the quarterly county court of Johnson County and never took effect.
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