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# Party Primaries

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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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# Party Primaries

## Private Acts of 1933 Chapter 834

**COMPILER'S NOTE:** This act was repealed by Private Acts of 1981, Chapter 120, but Private Acts of 1981, Chapter 159, revived and restored the act along with its amendments.

**SECTION 1.** That in counties having a population of not less than 26,430 nor more than 26,440 according to the Federal Census of 1930 or any subsequent Federal Census, all party nominations of candidates for county offices shall be made in party primary elections held for each political party in the manner, at the time under the requirements prescribed by this Act, and unless this Act is complied with party nominations falling within the terms of same shall not be placed upon the official ballots provided for by the laws of this State for general elections, provided that this Act shall not apply to nonpartisan candidates or candidates desiring to become candidates independent of party nominations, nor shall it apply to persons of any party nominations nor shall it apply to persons of any party affiliation which party did not at the general November election next preceding the primary election cast more than thirty (30%) per cent of the entire vote of the county for such party's nominee for Governor.

**SECTION 2.** That on the first Saturday in April of even-numbered years beginning with the year 1952 and biennially thereafter, there shall be held in all voting precincts of counties to which this Act is applicable, primary elections for making the nominations provided for in the preceding section, the said primary elections to be held within the legal hours for election now applicable thereto by the general laws of the State.

As amended by: Private Acts of 1951, Chapter 215

Private Acts of 1953, Chapter 330

**SECTION 3.** That in case no candidate for any office shall receive a majority of all the votes cast for such office then the two parties receiving the highest number of votes shall oppose each other in a run-off election, which run-off election shall be held on the fourth Saturday in April next following such original primary. The person receiving the highest number of votes at such run-off election shall be declared the party nominee for the office sought by him. Returns of such run-off election shall be declared the party nominee for the office sought by him. Returns of such run-off primary election shall be canvassed in the same manner as those of the original primary.

As amended by: Private Acts of 1939, Chapter 170

Private Acts of 1941, Chapter 11

Private Acts of 1953, Chapter 330

**COMPILER'S NOTE:** Private Acts of 1951, Chapter 215, deleted this section from the act but the section was revived and restored with the passage of Private Acts of 1953, Chapter 330 and Private Acts of 1981, Chapter 159.

**SECTION 4.** That the qualifications of candidates who enter the primary provided for by this Act shall be the same as are required now by the General Primary Election Laws contained in the Code of Tennessee, Sections 2180 and 2227 inclusive.

**SECTION 5.** That the qualifications of voters participating in the primary provided for by this Act shall be the same as are required in the General Primary Election Laws contained in the Code of Tennessee, Sections 2180 to 2227 inclusive, [COMPILER'S NOTE: Private Acts of 1939, Chapter 168, repealed the remaining portion of this act, which was an amendatory provision provided by Private Acts of 1935, Chapter 406, without offering any substitution.]

As amended by: Private Acts of 1935, Chapter 406

Private Acts of 1939, Chapter 168

**SECTION 6.** That any Act or deed declared by the general laws or by the General Primary Laws of the State, to be an offense in the case of an officer, shall be an offense and shall be punishable in the same form and manner as is prescribed by law.

**SECTION 7.** That the expense of the primary elections provided for by this Act shall be borne by the candidates participating under such rules as the County Executive Committee may provide.

**SECTION 8.** That the County Executive Committee is hereby authorized and directed to make such rules and regulations not inconsistent with this Act or with other applicable election laws as may be necessary and proper for conducting the primary elections herein provided. For the purpose of making such rules and regulations the County Executive Committee shall meet on the first Saturday in February at one P.M.,

at the court house, in each year in which a primary election provided for by this Act is to be held.

As amended by: Private Acts of 1951, Chapter 215

Private Acts of 1953, Chapter 330

**SECTION 9.** That the primary elections provided for by this Act shall be conducted by the County Executive Committee of the party affected. The membership of such County Executive Committee shall be selected in accordance with any applicable provisions of general law and rules of the party affected.

As amended by: Private Acts of 1951, Chapter 215

Private Acts of 1981, Chapter 159

**SECTION 10.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 22, 1933.

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