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Private Acts of 1947 Chapter 428

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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SECTION 1. That Jackson County is hereby authorized to erect, equip, maintain and operate a hospital at or near the Town of Gainesboro in said County and to this end, it is granted all the necessary powers in connection therewith and may appropriate therefor a sum not to exceed \$150,000.00 for the construction and equipment thereof and may further appropriate, after said hospital shall have been completed, such sums from year to year as may be found necessary to insure the efficient operation thereof.

SECTION 2. That for the purpose of providing funds for the construction and equipment of said hospital, said County, acting through its Quarterly County Court, is hereby authorized to issue its general obligation bonds in an amount not to exceed \$150,000.00, such issuance to be subject to the limitations hereinafter set forth with reference to a referendum. The form, denominations, rate of interest and other details in connection with the issuance of said bonds shall be as determined by resolution of the Quarterly County Court of said County, adopted at any regular session or sessions called expressly for the purpose of issuing said bonds, except that such bonds shall mature in not more than 20 years from that date, may mature serially or all at one time as in the judgment of said Quarterly County Court may be advisable, shall not bear a rate of interest in excess of 4% per annum and shall not be sold for less than par and accrued interest. Said bonds shall be executed by the signatures of the County Judge or Chairman and the County Court Clerk and shall have the seal of said County attached, but the signatures of said officials to the interest coupons thereon may be lithographed. The proceeds of said bonds if and when sold shall be paid into the hands of the County Trustee, whose official bond shall be liable therefor and shall be disbursed only as hereinafter provided.

For the full and prompt payment of both principal and interest of said bonds, there is hereby pledged the full faith and credit of said County and the Quarterly County Court of said County is hereby authorized, empowered and directed to levy a sufficient tax upon all taxable property in said County, in an amount sufficient to promptly meet all payments of principal and interest as the same shall fall due.

SECTION 3. That before any bonds shall be issued under this Act, the same shall be approved by a majority of the qualified voters of said County voting in an election to be called for that purpose. Upon the adoption by the Quarterly County Court by a resolution calling an election to be held for this purpose and receipt thereof by the County Board of Election Commissioners of said County, it shall be the duty of such Board of Election Commissioners to call an election not less than 60 nor more than 90 days from the date of receipt by them of such resolution. Such election shall be held in all voting precincts in said County under the same requirements as are now provided by law for general elections and any offense made criminal by the general laws of the State when committed in connection with the holding of a general election is hereby made a like offense if committed in connection with the holding of a special election herein provided. The ballots to be used in said election shall contain the legends "For the Issuance of \$150,000 Hospital Bonds" and "Against the Issuance of \$150,000 Hospital Bonds". The County Board of Election Commissioners shall meet on the Monday next following the date of said election and canvass the returns thereof and certify the result to the County Judge or Chairman. If a majority of those voting in said election favor the issuance of said bonds, then the County Court may proceed to issue the same, but if a majority of those voting in said election oppose such issuance, no bonds shall be issued until there shall have been a favorable vote. The expenses of the holding of said election shall be defrayed by the County of Jackson and in case of a vote unfavorable to the issuance of said bonds, no other election upon said subject shall be held until the expiration of one year from the date of such election.

SECTION 4. That if such bonds shall be issued as herein provided, it shall be the duty of the Quarterly County Court of said County to appoint a Hospital Construction Committee composed of not more than five members, one of whom shall be a qualified and licensed physician. Said Hospital Committee or majority thereof shall have full and complete power to purchase or condemn a site for said hospital, to employ architects and engineers in connection with the plans and construction thereof, to let all necessary and proper contracts or the erection and equipment of such hospital and in general to do all other things necessary therefor. The proceeds of said bond issue, together with any other funds which may be available to said County for the construction and equipment of said hospital, shall be drawn from the hands of the County Trustee upon warrants or vouchers signed by the Committee or its duly authorized representative and in no other manner. Said Committee is also authorized to avail itself of such expert and technical advice as may be furnished to it in connection therewith.

SECTION 5. That Jackson County be and it is hereby expressly authorized to enter into any and all cooperative agreements with the State or Federal Governments touching the construction and/or equipment of said hospital, expressly including the right to accept grants and aid for such purposes from either of said governmental bodies and to enter into all necessary contracts and perform all necessary conditions precedent to the obtaining of said grants to aid and to comply with such requirements therefor

as may be imposed.

SECTION 6. That after the completion of said hospital it shall be the duty of the Quarterly County Court to appoint a committee of not to exceed three persons, one of whom shall be a licensed physician, who shall have complete charge of the operation and maintenance of said hospital. Said committee shall have the right but not without being limited thereto, to set the scale of rates to be charged by said hospital, to prescribe the conditions for admission thereto, to allocate between the white and colored races the various wards and rooms thereof and to make all necessary funds and regulations deemed needful for the successful operation of such.

The Quarterly County Court of Jackson County may by a majority vote of all the members to which court is entitled, lease said hospital for period of time not to exceed 15 years from the date of such lease to any person, firm or corporation upon such terms as may be mutually agreed upon between the parties. In the event such hospital be so leased as aforesaid, the County of Jackson shall be under no further obligation to operate the same during the existence of such lease and shall not be responsible for any of the operating costs thereof.

As amended by:

Private Acts of 1951, Chapter 136

SECTION 7. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 26, 1947.

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