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# Utility District Commissioners

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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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Table of Contents

<b>Utility District Commissioners .....</b>	<b>3</b>
<b>Public Acts of 1971 Chapter 426 .....</b>	<b>3</b>

# Utility District Commissioners

## Public Acts of 1971 Chapter 426

**COMPILER'S NOTE:** The following act is a public act of special application and is not codified in Tennessee Code Annotated.

**SECTION 1.** Notwithstanding the provisions of Tennessee Code Annotated, Section 6- 2614, in any utility district operating a system which furnishes utilities, whether wholly or partially within the boundaries of any county having a population of not less than 59,000 and not more than 60,000, according to the 1970 Federal Census or any subsequent federal census, or the provisions of any other law, the subscribers to the services furnished by any utility district may petition the county judge or chairman of the county court of the county being served by the utility district for the removal and replacement of commissioners for the district. If a utility district lies within more than one (1) county, a certified copy of the petition shall be filed with the county judge or chairman of the county court of the other counties. The petition shall be signed in person by the petitioners with the addresses of their residence and shall be accompanied by a sworn statement of the person or persons circulating the petition, who shall state under oath that he or they witnessed the signature of each petitioner, that each signature is the signature of the person it purports to be, and that to the best of his or their knowledge each petitioner was, at the time of signing, a subscriber to the services of the district. Such petition shall include the nomination of three (3) person for each commissioner of the district for consideration for appointment as commissioners.

Upon receipt of such a petition, signed by fifty percent (50%) of the total subscribers plus one (1) additional subscriber to the services furnished by the utility district, the county judge or chairman of the county court shall request from the original purchasers of the bonds of such district a list of three (3) persons for each commissioner of such district for consideration for appointment as commissioners.

Within sixty (60) days of the filing of the petition, the county judge or chairman shall appoint commissioners from such nominations to replace the incumbent commissioners of the district. The county judge or chairman may call for additional nominations from the petitioners and bond purchases until the appointments are complete. The county judge or chairman shall designate the term of office as each new commissioner is appointed. In any such district lying in more than one (1) county, the number of commissioners from any one county shall be, as provided in Section 6-2629, unless otherwise provided by law. Any incumbent commissioner shall be eligible to seek reappointment to the Board of Commissioners if he is nominated on the petitions filed under this act.

**SECTION 2.** Tennessee Code Annotated, Section 6-2615 [72-82-308] is amended by adding the following sentence to the first paragraph.

The secretary of a utility district in counties having a population of not less than 59,000 and nor more than 60,000, according to the 1970 Federal Census or any subsequent federal census, shall maintain a list of subscribers by name and address. Such list shall be available for inspection during normal business hours.

**SECTION 3.** This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 26, 1971.

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