



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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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

Campaign Materials

Private Acts of 1982 Chapter 336

SECTION 1. In Bradley County, the distribution and/or display of campaign posters, signs or other campaign materials and the solicitation of votes for or against any person or political party or position on a question, shall be prohibited within the building in which the polling place for voters is located and on any grounds or parking areas surrounding or adjacent to the polling place; or in the alternative, such distribution, display and solicitation shall not be permitted within three hundred (300) feet of the polling place.

SECTION 2. The officer of elections shall measure off three hundred (300) feet from the entrances to the building in which the election is to be held and shall place boundary signs at that distance or the officer shall place boundary signs at the edges of the grounds and parking areas of the polling place, whichever is applicable.

SECTION 3. This act shall have no effect unless it is approved by a majority of the number of qualified voters of Bradley County voting in an election on the question of whether or not the act should be approved. The ballots used in the regular August election to be held on August 5, 1982 shall have printed on them the substance of this act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the Secretary of State as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The cost of the elections shall be paid by Bradley County.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, as provided in Section 3, it shall be effective upon becoming a law, but for all other purposes the provisions of the act shall be effective only upon being approved as provided in Section 4.

Passed: April 6, 1982.

Civil Districts

Acts of 1905 Chapter 475

COMPILER'S NOTE: This Act has been amended by Private Acts of 1917, Chapter 652.

SECTION 1. That the Second, Third, Fourth, Fifth, Sixth, Eighth, Tenth, Eleventh, Twelfth, and Thirteenth Civil Districts of Bradley County, Tennessee, as the same have heretofore and up to this time been constituted and exist, be, and the same are hereby, abolished.

SECTION 2. That the territory heretofore and up to this time embraced in the Second, Third, Fourth, Fifth, and Thirteenth Civil Districts of said county, and all of that territory heretofore and up to this time embraced in the Sixth Civil District of said county, and lying east of a line beginning on the west line of the county road or pike, known as the Spring Place Road or Pike, where said pike crosses the north line of the present Fifth Civil District of said county, and running thence in a northwesterly direction with the west line of said pike to the east line of the corporation of the City of Cleveland, Tennessee; thence in a northerly direction with the east line of said corporation, to the street or road known as the extension of George Street; thence east with the north line of George Street, to the public road, known as the Chatata Road or pike; thence in a northerly direction with the west line of said Chatata Pike across the Southern Railway Company's track and right of way, near the old plant of the Cleveland Fire Brick Company, and continuing thence along the west line of said road or pike, to where said road or pike crosses the track and right of way of the Southern Railway Company, on the farm of the F. A. Frazier; and thence with the east line of the right of way of the Southern Railway Company, in a northerly direction to the south line of the present Seventh Civil District of said county, be, and the same is hereby, attached to what has heretofore and up to this time been the First Civil District of said county, and that the said combined territory be hereafter known and denominated the First Civil District of said county; that all of that part of the territory heretofore and up to this time embraced in the Sixth Civil District of said county, and lying west of the line above described, shall hereafter constitute and be known and denominated the Fourth

Civil District of said county; that the territory heretofore and up to this time embraced in the Tenth, Eleventh, and Twelfth Civil Districts of said county, be, and the same is hereby, attached to what was heretofore and up to this time been the Ninth Civil District of said county, and that the said combined territory be hereafter known and denominated the Second Civil District of said county; that the territory heretofore and up to this time embraced in the Eighth Civil District of said county be, and the same is hereby, attached to what has heretofore and up to this time been the Seventh Civil District of said county, and that the said combined territory be hereafter known and denominated the Third Civil District of said county.

SECTION 3. [This section was deleted by Chapter 764, Private Acts of 1917].

SECTION 4. That the officers of Justices of the Peace and all other district officers, except School Directors in the districts hereby abolished, shall cease to exist.

SECTION 5. That the School Districts of said county, as at present constituted and established, shall not be changed or affected by the provisions of this Act.

SECTION 6. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed; and that this Act take effect from and after the general election on the first Thursday of August of 1906, the public welfare requiring it.

Passed: April 13, 1905.

Acts of 1917 Chapter 652

COMPILER'S NOTE: The caption of this Act states that the Act amends Private Acts of 1905, Chapter 475.

SECTION 1. That the territory of the First Civil District of Bradley County, being and lying inside the corporate limits of the City of Cleveland, Tenn., be and the same is hereby detached from the First Civil District of said county and attached to the Fourth Civil District of said county.

SECTION 2. That all laws and parts of laws in conflict with this Act be, and are hereby repealed; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 21, 1917.

Elections - Historical Notes

Districts Reapportionment

The acts listed below have affected the civil districts in Bradley County, but are no longer operative regarding elections. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1835-36, Chapter 1, required the General Assembly to adopt a Resolution which would name Commissioners charged with the responsibility of laying off their county into the number of civil districts as determined by the population of the county. This Act was passed after the adoption of the new State Constitution.
2. Resolution #6, was properly adopted in compliance with the terms of the Act set out above in Item One. William H. Biggs, Ezekiel Spriggs, William Smedley, Isaac W. Brazelton, and Samuel Mahan, were appointed as commissioners to lay off Bradley County into eight Civil Districts, under the same rules and regulations applicable to all the other counties.
3. Private Acts of 1903, Chapter 326, abolished the 14th Civil District in Bradley County, placing all the area embraced in that civil district into the 6th Civil District. The positions of Justice of the Peace and Constable which existed in the District were likewise abolished, the Justice being required to surrender all the records and books to the Justices of the 6th Civil District. All the elections in the Sixth Civil District would hereafter be held at the courthouse in Cleveland.
4. Private Acts of 1943, Chapter 17, abolished the four Civil Districts of Bradley County and established two in their stead. The First Civil District consisted of all that area of the County outside of the City of Cleveland and the Second Civil District was made up of the area within the City of Cleveland. The First Civil District would have two Justices of the Peace and a Constable

while the Second Civil District was allowed three Justices of the Peace and two Constables. After the effective date of this Act, all other positions of Justice and Constable were abolished. Named in the Act to serve until the general August elections in 1944 could produce their successors to take office on September 1, 1944, were John D. Bowman and Alfton Mackey, as Justices, and Will Runions, as Constable, in the First Civil District, and J. D. Morelock, Lon Brock, and John A. Million, as Justices, and Charlie Smith and Wayne Samples, as Constables, in the Second Civil District. This Act was repealed for all practical purposes by the one following.

5. Private Acts of 1947, Chapter 90, reestablished the four Civil Districts of Bradley County as they existed prior to January 8, 1943, and abolished the two Civil Districts which were provided under the 1943 Act above. The proper number of Justices of the Peace and Constables would be elected in the Districts at any election to be held in 1948. This Act was not intended to affect any school, or taxing district, or the terms of any Justice of the Peace, or Constable, but was intended to restore the four Civil Districts of Bradley county as they existed prior to the 1943 Act.

Elections

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

1. Acts of 1842, Chapter 1, apportioned the General Assembly of Tennessee into 25 State Senatorial Districts and 50 State Representative Districts for the first time. The Seventh State Senatorial District was made up of the counties of Monroe, McMinn, Polk, and Bradley, while Bradley County would elect one Representative alone.
2. Acts of 1842, Chapter 7, established eleven U. S. Congressional Districts in the State and assigned the Counties of Knox, Roane, Bledsoe, Rhea, Meigs, McMinn, Polk, Bradley, Hamilton, and Marion to the Third U. S. Congressional District.
3. Acts of 1851-52, Chapter 196, set up ten U. S. Congressional Districts in the State. The Third District was made up of the Counties of Blount, Monroe, Polk, McMinn, Meigs, Rhea, Bledsoe, Bradley, Hamilton, Marion, and Roane.
4. Acts of 1851-52, Chapter 197, stated that Bradley County would elect one State Representative alone, and would share a State Senator with the Counties of Rhea, Bledsoe, Hamilton, and Marion.
5. Acts of 1865, Chapter 34, was a post Civil War Act which divided Tennessee into eight U. S. Congressional Districts of which the Second U. S. Congressional District contained the Counties of Claiborne, Union, Knox, Campbell, Scott, Morgan, Anderson, Blount, Monroe, Polk, McMinn, Bradley, and Roane.
6. Acts of 1869-70, Chapter 105, was the legal authority to hold a referendum election across the State on the question of calling a constitutional convention consisting of 75 delegates from the Representative and Senatorial Districts of the State to change, alter, revise, or rewrite the present State Constitution. If approved by the voters, the Convention would meet in Nashville on the second Monday in January, 1870.
7. Acts of 1871, Chapter 146, apportioned the representation in the General Assembly of the State based upon the 1870 census and the new Constitution. Polk County and Bradley County would jointly elect one of the 50 Representatives and the Sixth State Senatorial District included the Counties of Loudon, Monroe, McMinn, Meigs, Bradley and Polk.
8. Acts of 1872, Chapter 7, divided Tennessee into nine U. S. Congressional Districts. The Third U. S. Congressional District was made up of the Counties of Blount, Loudon, Roane, Monroe, McMinn, Meigs, Rhea, Polk, Bradley, James, Hamilton, Marion, Sequatchie, Bledsoe, Grundy, Van Buren, and Warren.
9. Acts of 1873, Chapter 27, established ten U. S. Congressional Districts in the State composed of whole Counties. The Third Congressional District consisted of the Counties of Polk, McMinn,

- Meigs, Rhea, Bradley, James, Hamilton, Marion, Grundy, Sequatchie, Bledsoe, Van Buren, White, Warren, DeKalb, Cannon, and Cumberland.
10. Acts of 1881 (Ex. Sess.), Chapter 5, permanently fixed the number of Senators in the State General Assembly at 33 and the number of Representatives at 99.
 11. Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the State Legislature to conform to the new law regulating its composition. Bradley County and Polk County would share one Representative under the new quotas and Bradley County would join Polk County, Meigs County, McMinn County, and James County in constituting the Seventh State Senatorial District.
 12. Acts of 1882, Chapter 27, established ten U. S. Congressional Districts in Tennessee, allocating the Counties of Monroe, Polk, Bradley, Hamilton, James, McMinn, Bledsoe, Sequatchie, Marion, Grundy, Van Buren, White, and Warren to the Third Congressional District.
 13. Acts of 1883, Chapter 237, amended Chapter 27, Acts of 1882 so as to include within the Third Congressional District only the Counties of Monroe, Polk, Bradley, Hamilton, Meigs, Cumberland, James, McMinn, Bledsoe, Sequatchie, Marion, Grundy, Van Buren, White, and Warren.
 14. Acts of 1891, Chapter 131, did some re-arranging of the counties in the ten U. S. Congressional Districts of the State. The Third District included the counties of Monroe, Polk, Bradley, Hamilton, James, McMinn, Bledsoe, Grundy, Van Buren, White, Warren, Franklin, Marion, and Meigs.
 15. Acts of 1891 (Ex. Sess.), Chapter 10, reorganized the representation in the State Legislature. Bradley County would elect one State Representative alone, and share a State Senator with the Counties of Monroe, McMinn, Polk, and James in the Seventh State Senatorial District.
 16. Acts of 1901, Chapter 109, assigned Bradley County to the Third U.S. Congressional District out of the ten specified by the Act. Other Counties in the District were Monroe, Polk, McMinn, Meigs, James, Hamilton, Marion, Sequatchie, Bledsoe, Van Buren, Grundy, White, Warren and Franklin.
 17. Acts of 1901, Chapter 122, rearranged the representation in the General Assembly of the State. The Seventh State Senatorial District was composed of Anderson, Roane, McMinn, Bradley, and James Counties. The Counties of Polk, Bradley, and James would share a Representative. Over 60 years would pass before the General Assembly would be reapportioned.
 18. Private Acts of 1913, Chapter 283, stated that no registration of voters was required to exercise their franchise at the precinct nearest them. This Act would not apply to incorporated cities, nor would the registration of voters be a prerequisite to voting in any election, State, County, or City.
 19. Private Acts of 1917, Chapter 370, amended Chapter 17, Acts of 1897, by inserting population figures which made that Act applicable to Bradley County. The amended act referred to the number of permissible civil districts in a County and the required population of the District.
 20. Private Acts of 1959, Chapter 272, which was properly ratified by the Quarterly Court, was the authority for the election officials to pay the election officers and others holding elections the sum of \$8.00 per day and, further, to see that polling places were kept open from 9:00 a.m. until 5:00 p.m.

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