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# Private Acts of 1986 Chapter 119

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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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# Private Acts of 1986 Chapter 119

**SECTION 1.** Chapter 170 of the Private Acts of 1911, as amended by Chapter 679 of the Private Acts of 1917, Chapter 753 of the Private Acts of 1919, Chapter 291 of the Private Acts of 1921, Chapter 717 of the Private Acts of 1951, and Chapter 372 of the Private Acts of 1953 are repealed.

**SECTION 2.** There is hereby created the office of County Attorney in Campbell County. Said officer and his successor shall be elected by the popular vote of the people as Circuit Judge and attorneys General are now elected in this state. The term of office of county attorney shall be six (6) years, beginning on the first day of September of each sixth year computed from September 1, 1912, such county attorney to be elected by popular vote of the people at the regular August election of each such sixth year computed from August, 1912; and each such county attorney so elected shall hold office until his successor is duly elected and qualified.

In the event of any vacancy in said office, during the term, the County Commission of such County shall elect a County Attorney to hold office until the next regular county or statewide election, whichever occurs first, at which election a County Attorney shall be elected by popular vote of the people to hold the office for the remainder of the term; or until his successor is elected and qualified. Each such County Attorney shall be paid for his services out of general county funds on warrants drawn by the County Executive or Chairman, a base salary of sixteen thousand dollars (\$16,000) per annum, due and payable at the rate of one thousand three hundred thirty-three dollars and thirty-three cents (\$1,333.33) per month. Said base salary shall constitute payment for performance of the ordinary and usual duties of such County Attorneys in the normal course of business. In the event extraordinary services are required of such County Attorneys, additional compensation shall be paid to such County Attorneys therefor, said additional compensation to be approved by the County Executive or County Commission, and said additional compensation may be in the form of such flat fee, hourly rate, or contingent fee as may be appropriate to the circumstances.

Nothing herein shall be construed as prohibiting such County Attorney from receiving certain official expenses in addition to regular salary.

In addition to regular salary, said County Attorney shall be reimbursed out of the funds of the County for expenses necessary or incident to and incurred in the handling of the official business of his office, including traveling expenses, board and lodging, stenographic expenses, court cost, filing fees, stationery [sic], and other expenses incurred in handling the official business of said office. Such County Attorney seeking reimbursement for such official expenses shall file with the County Executive of such county a sworn itemized statement of the amounts necessarily expended by him in the discharge of such official duties as granted herein, and upon the receipt of such verified statement said County Executive shall issue his warrant in reimbursement of such expenses.

In those instances where additional legal assistance is necessary or desirable, the County Attorney may employ same upon approval of the conditions for compensation therefor by the County Executive or County Commission.

**SECTION 3.** It shall be the duty of the said County Attorney to transact all the legal business of the county, to advise the county officials upon legal matters affecting their offices, and no officer of said county shall employ any other attorney save at his own personal expense unless he shall be first authorized and empowered by the County Commission of the County. Said County Attorney shall under the supervision of the Attorney General assist in waiting upon the grand jury at either the regular or called sessions. The County Attorney shall further be authorized to file any actions necessary for collection of delinquent taxes.

**SECTION 4.** If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect.

**SECTION 5.** This Act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the county legislative body of Campbell County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

**SECTION 6.** For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.

PASSED: February 24, 1986

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