



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

July 22, 2024

Chapter VII - Elections

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Chapter VII - Elections

Special Election

Locating a State Prison in Carroll County

Private Acts of 2001 Chapter 33

SECTION 1. Upon adoption of a resolution by the county legislative body of Carroll County, a non-binding, advisory referendum of the voters of Carroll County shall be held on whether a state prison should be located in Carroll County. Such question shall be placed on the ballot in a special election to be held on the date fixed in such resolution. Such date shall be not less than fifty (50) days nor more than seventy (70) days subsequent to the date the election commission receives the certified resolution.

Upon adoption of such a resolution, the county legislative body shall send a certified copy of the resolution to the county election commission which shall call and conduct a special election for such purposes after giving notice pursuant to §2-12-111(b) that such an election shall be held. The special election shall be held on the date fixed in the resolution. The county election commission shall place the following question on the ballot:

Should a state prison be located in Carroll County?

FOR _____ AGAINST _____

The qualifications of voters on the question shall be the same as those required for participation in the Carroll County general election.

The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified to the county legislative body.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Carroll County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Carroll County and certified to the Secretary of State.

SECTION 3. 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 as provided in Section 2.

Passed: April 2, 2001.

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Carroll County, but are no longer operative regarding elections.

1. Acts of 1901, Chapter 433, created the 11th civil district in Carroll County out of the former 11th and 25th civil districts.
2. Private Acts of 1923, Chapter 60, changed the line between the 11th and 15th civil districts in Carroll County, transferring the farms of W. W. Williams, B. F. Conyers, F. O. Pendergrass, Herbert Cawthon, Joe Taylor, Lewis Owen and Henry Nash from the 15th to the 11th civil district.
3. Private Acts of 1935, Chapter 721, changed the line between the 15th and 16th civil districts in Carroll County, transferring a portion of land belonging to Hettie Christian from the 16th to the 15th civil district.
4. Private Acts of 1939, Chapter 562, changed the line between the 2nd and 19th civil districts in Carroll County, placing in the 2nd civil district the land lying west of Austin Peay Highway and south of the Obion River until it meets Reedy Creek.
5. Private Acts of 1941, Chapter 477, changed the line between the 15th and the 16th civil districts in Carroll County.
6. Private Acts of 1941, Chapter 490, changed the line between the 5th and the 19th civil districts in Carroll County, transferring approximately 21 acres to the 19th civil district.
7. Private Acts of 1963, Chapter 80, changed the line between the 6th and the 20th civil districts in Carroll County, transferring a tract of land to the 20th civil district.

Elections

The following is a listing of acts for Carroll County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1821, Chapter 46, placed Carroll County in a state senatorial district with Henderson, Stewart, Humphreys, Perry and Henry Counties. The polls would be compared at Reynoldsborough in Humphreys County.
2. Public Acts of 1822, Chapter 1, divided Tennessee into nine U. S. Congressional Districts. Carroll County was placed in the 9th District, along with the counties of Wayne, Hardin, Lawrence, Perry, Henry, Henderson, Madison, Shelby, and such other counties as might be formed west of the Tennessee River.
3. Public Acts of 1823, Chapter 47, divided Tennessee into eleven electoral districts. The 11th District was composed of Wayne, Hardin, Perry and all counties west of the Tennessee River (which included Carroll County). The 11th District would choose one elector.
4. Public Acts of 1824, Chapter 1, was very similar to Public Acts of 1823, Chapter 47, assigning the same counties to the 11th Electoral District to choose one elector. The electors were to convene at Murfreesborough, Rutherford County, to vote for President and Vice-President of the United States.
5. Public Acts of 1826, Chapter 3, apportioned the state for representation in the General Assembly into 20 Senatorial and 40 Representative Districts. One Senator would be elected jointly by Carroll, Henry, Weakley, Obion, Gibson and Dyer Counties. Carroll, Gibson, Obion and Dyer Counties would elect one Representative jointly.
6. Public Acts of 1827, Chapter 17, divided the state into eleven electoral districts, placing Carroll County in the 11th Electoral District along with the counties of Henderson, Henry, Weakley, Obion, Gibson, Dyer, Madison, Haywood, Tipton, McNairy, Hardeman, Fayette and Shelby.
7. Public Acts of 1832, Chapter 4, divided Tennessee into thirteen U.S. Congressional Districts, placing Carroll County in the 12th District along with the counties of Henry, Haywood, Madison, Dyer, Obion, Gibson and Weakley.
8. Public Acts of 1832, Chapter 9, divided the state into 15 electoral districts. Carroll County was placed in the 15th District along with the counties of Henry, Weakley, Obion, Dyer, Gibson, Tipton and Haywood. Each district would choose one elector to vote for President and Vice-President of the United States.
9. Public Acts of 1833, Chapter 71, reapportioned the state for the General Assembly which would be composed of 20 Senators and 40 Representatives. The counties of Carroll, Henry, Weakley and Obion would elect one Senator and Carroll, Henry and Madison Counties would elect one Representative.
10. Public Acts of 1833, Chapter 76, provided for the election of 60 delegates to the state constitutional convention. Carroll County would elect one delegate.
11. Public Acts of 1835-36, Chapter 39, divided the state into fifteen electoral districts. Carroll County was placed in the 15th District along with the counties of Henry, Weakley, Obion, Dyer, Gibson, Tipton and Haywood.
12. Acts of 1839-40, Chapter 79, provided that each U.S. Congressional District would constitute an Electoral District from which one elector would be chosen, and that there would be two at-large electors. Qualified voters in the state could vote for all fifteen electors.
13. Acts of 1842 (2nd Sess.), Chapter 1, apportioned the state for the General Assembly into twenty-five senatorial districts and fifty representative districts. Gibson, Carroll and Dyer Counties made up the 22nd Senatorial District with the polls being counted at Trenton. The act provided for Carroll County to elect one Representative and the polls to be counted at the courthouse in Huntingdon. This act was repealed by Public Acts of 1978, Chapter 597.
14. Acts of 1842 (2nd Sess.), Chapter 7, provided for eleven U.S. Congressional Districts in Tennessee. Carroll, Perry, Henderson, Madison, Gibson, Weakley and Obion Counties composed the 11th Congressional District.
15. Acts of 1851-52, Chapter 196, formed ten U.S. Congressional Districts in Tennessee. The counties of Carroll, Henry, Weakley, Dyer, Obion, Lauderdale, Tipton, Gibson and Henderson were assigned to the 9th District.
16. Acts of 1851-52, Chapter 197, apportioned the state for representation in the General Assembly. Carroll County would elect one Representative alone and one Representative jointly with the

- counties of Gibson, Madison and Henry. Carroll, Gibson and Dyer Counties would compose one senatorial district.
17. Public Acts of 1865, Chapter 34, divided Tennessee into eight U.S. Congressional Districts. The 7th U. S. Congressional District consisted of Carroll, Benton, Henry, Weakley, Obion, Dyer, Gibson, Lauderdale and Henderson Counties.
 18. Public Acts of 1869-70, Chapter 105, authorized a referendum on the third Saturday of December 1869, on the proposed calling of a constitutional convention to amend, revise or form a new state constitution. The ballots would state simply "Convention" or "No Convention". There would be seventy-five delegates, to be elected in the same manner as Representatives to the General Assembly. The delegates would convene in Nashville on the second Monday in January, 1870.
 19. Public Acts of 1871, Chapter 146, reapportioned Tennessee for the General Assembly. Carroll County would elect one of the 50 Representatives, and Carroll, Gibson, Henry and Weakly Counties would jointly elect one Representative. Carroll and Gibson Counties composed the 19th Senatorial District which would elect one state Senator.
 20. Acts of 1872 (Ex. Sess.), Chapter 7, created nine U.S. Congressional Districts in Tennessee, with Carroll, Henry, Montgomery, Houston, Stewart, Humphreys, Benton, Henderson, Decatur, Perry, Hardin, and McNairy counties making up the 7th District.
 21. Public Acts of 1873, Chapter 27, added a tenth U.S. Congressional District to the state and rearranged the counties assigned to each district. The 8th District contained Carroll, Henry, Benton, Perry, Decatur, Hardin, McNairy, Henderson and Madison Counties.
 22. Public Acts of 1881 (Ex. Sess.), Chapter 5, fixed the number of Senators in the General Assembly at 33 and the number of Representatives at 99.
 23. Public Acts of 1881 (Ex. Sess.), Chapter 6, provided that Carroll County would elect one Representative, and placed Carroll County in the 26th Senatorial District, along with Benton and Decatur Counties, to elect one Senator.
 24. Public Acts of 1882 (Ex. Sess.), Chapter 27, divided Tennessee into ten U. S. Congressional Districts. Carroll, Henry, Benton, Perry, Decatur, Hardin, McNairy, Henderson and Madison Counties composed the 8th District.
 25. Public Acts of 1891, Chapter 131, apportioned the state into ten U. S. Congressional Districts. Carroll County remained in the 8th District along with the counties of Henderson, Henry, Benton, Perry, Decatur, Hardin, McNairy, Madison and Chester.
 26. Acts of 1891 (Ex. Sess.), Chapter 10, provided that Carroll County would elect one state Representative and would elect another Representative jointly with Weakley County. Carroll and Henry Counties composed the 25th Senatorial District, to elect one state Senator.
 27. Acts of 1901, Chapter 109, divided the state into ten U. S. Congressional Districts. The 8th District was composed of Carroll, Henry, Benton, Perry, Decatur, Henderson, Chester, Madison, McNairy and Hardin Counties.
 28. Acts of 1901, Chapter 122, apportioned the state for representation in the General Assembly. Henry and Carroll Counties made up the 24th Senatorial District. Carroll County would elect one Representative, and Carroll, Henry and Weakley Counties would jointly elect one Representative.
 29. Private Acts of 1919, Chapter 732, directed the Election Commissioners in Carroll County to provide ballot boxes for each voting precinct in the county and for voting precincts in each municipality within Carroll County. Failure to comply with the provisions of this act constituted a misdemeanor carrying a fine between \$25 and \$50.
 30. Private Acts of 1933, Chapter 616, provided that those political parties who cast more than 10% of the ballots in the last preceding presidential election would nominate their candidates for Carroll County offices by means of a county primary. This act was repealed by Private Acts of 1937, Chapter 25.
 31. Private Acts of 1947, Chapter 71, set the compensation of judges, clerks, registrars, markers and other officials conducting elections in Carroll County at \$4 per day, for one day only.
 32. Private Acts of 1949, Chapter 733, provided for a compulsory primary election on the second Thursday in April for the majority political party, which was defined as the Republican party, to nominate candidates for all county offices elected by the county at large. The act also created a Primary Board to conduct the county primary election for the majority political party, consisting of the following five members: Norville Sparks, Warren Carter, Adrain Cary, Earsley Fry and Lael Brinkley. This act was repealed by Private Acts of 1951, Chapter 3.

33. Private Acts of 1951, Chapter 166, created a voting precinct at the Spanish Grove Schoolhouse in the 18th civil district of Carroll County.

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