



December 21, 2024

Removal of Appointees

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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Removal of Appointees

Private Acts of 1984 Chapter 171

SECTION 1. In Hamilton County, either the County Executive and/or the Board of Commissioners, as appointing authorities for the several boards, agencies or commissions not mandated under the laws of the state of Tennessee, are hereby empowered to remove any of these appointees, where removal provisions are not provided for under the laws of the state of Tennessee, the removal procedure shall be accomplished as follows:

(1) the [sic] county executive may remove from office any member of any board, agency or commission appointed by him, for cause, but only after the appointee is given a copy of the charges against him at least ten (10) days prior to a hearing thereon. The date of the hearing shall be set forth in the notice of charges given to the appointee. The notice shall be mailed by certified mail to the appointee at his last known address at least ten (10) days prior to a hearing thereon. The appointee shall have the opportunity to be heard in person or by council at the hearing.

(2) The Board of Commissioners may remove from office any member of any board, agency, or commission appointed or elected by the board of commissioners, for cause, upon a vote of a majority of the members of the board, but only after preferment of formal charges against him. Upon motion of the board, properly approved, written charges shall be furnished to the appointee at least ten (10) days prior to a hearing thereon. The date of the hearing shall be set forth in a written notice of charges to be given to the appointee. The notice shall be mailed by certified mail to the appointee at his last known address, at least ten (10) days prior to the hearing thereon. The appointee shall have an opportunity to be heard in person or by counsel at the hearing. After the hearing, the appointee may be removed upon the affirmative vote of a majority of the members of the Board of Commissioners.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Hamilton County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Hamilton County legislative body and certified by him 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 upon being approved as provided in Section 2.

Passed: March 22, 1984.

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