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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

Districts - Reapportionment

Civil Districts

Private Acts of 1977 Chapter 80

SECTION 1. That the Civil Districts of Shelby County be and are hereby re-arranged into two civil districts, and the numbers of the said districts and boundaries of same established as hereinafter provided, to-wit:

FIRST DISTRICT

The first civil district shall consist of the territory within the following boundaries: Beginning at a point of intersection of the midstream of the Mississippi River with a projection westwardly to the center line of Poplar Avenue, running thence northwardly along the said Mississippi River and the eastern line of Arkansas to the Tipton County line; thence eastwardly along the Tipton County line to the Fayette County line; to the intersection of said line with U. S. Highway No. 64; thence westwardly along the center line of U.S. Highway No. 64 to its intersection with the center line of the right-of-way of Interstate Highway 40; thence southwestwardly along the center line of the right-of-way of Interstate Highway 40 to the intersection of said line with the center line of White Station Road; thence south on White Station Road to the center line of the right-of-way of the L & N Railroad; thence west with the center line of the right-of-way of the L & N Railroad to Mendenhall Road; thence south along Mendenhall Road to Walnut Grove Road; thence west on Walnut Grove Road to Goodlett Avenue; thence north on Goodlett Avenue to U. S. Highway No. 70 and Summer Avenue, its extension, being the boundaries of the southern half of the community of Berclair, unincorporated, to the North Parkway at the point where the same intersects with East Parkway; thence southwardly along the center line of said East Parkway to its intersection with the center line of Poplar Avenue; thence westwardly along the center line of Poplar Avenue to the point of beginning.

SECOND DISTRICT

The second civil district shall consist of the territory within the following boundaries: Beginning at a point of intersection of the mid-stream of the Mississippi River with a projection westwardly of the center line of Poplar Avenue, running thence southwardly along the Mississippi River and its meanderings to the north line of Mississippi; thence eastwardly along the north line of Mississippi to the Fayette County line; thence northwardly along the Fayette County line to the intersection of said line with U.S. Highway No. 64; thence westwardly along the center line of U.S. Highway No. 64 to its intersection with the center line of the right-of-way of Interstate Highway 40; thence southwestwardly along the center line of the right-of-way of Interstate Highway 40 to the intersection of said line with the center line of White Station Road; thence south on White Station Road to the center line of the right-of-way of the L & N Railroad; thence west with the center line of the right-of-way of the L & N Railroad to Mendenhall Road; thence south along Mendenhall Road to Walnut Grove Road; thence west on Walnut Grove Road to Goodlett Avenue; thence north on Goodlett Avenue to U. S. Highway No. 70 and Summer Avenue, its extension, being the boundaries of the southern half of the community of Berclair, unincorporated, to the North Parkway at the point where the same intersects with East Parkway; thence southwardly along the center line of said East Parkway to its intersection with the center line of Poplar Avenue; thence westwardly along the center line of Poplar Avenue to the point of beginning.

SECTION 2. All laws and parts of laws in conflict with this act be and the same are hereby repealed, but only insofar as they do conflict, but no further or otherwise, including but not limited to Chapter 195 of the Private Acts of 1911; Chapter 78 of the Private Acts of 1917; Chapter 300 of the Private Acts of 1917; Chapter 166 of the Private Acts of 1921; Chapter 274 of the Private Acts of 1923; Chapter 224 of the Private Acts of 1925; Chapter 426 of the Private Acts of 1929; Chapter 39 of the Private Acts of 1929 (Ex. Sess.); Chapter 667 of the Private Acts of 1933; Chapter 522 of the Private Acts of 1935; Chapter 166 of the Private Acts of 1939.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly Court of Shelby County. Its approval or nonapproval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

SECTION 4. For the purpose of approving this act as provided in Section 3, it shall take effect on becoming a law, the public welfare requiring it. The approval of this act as provided in Section 3 shall not

affect the present term of office of the constables of Shelby County elected from the civil districts of said county as heretofore constituted and existing, and as to them this act, if approved as provided in Section 3, shall take effect September 1, 1978. For all other purposes it shall become effective upon being approved as provided in Section 3.

Passed: May 12, 1977.

Elections - Historical Notes

Districts - Reapportionment

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

1. Public Acts of 1867-68, Chapter 25, required the county commissioners of Shelby County to establish four voting precincts in the City of Memphis.
2. Private Acts of 1911, Chapter 195, was a redistricting act for Shelby County. It abolished the second, third, fourth, sixth, seventh, eighth, tenth, twelfth, thirteenth, sixteenth, seventeenth and nineteenth civil districts, attaching their territory to the first, ninth, eleventh and eighteenth districts; thus creating seven civil districts for Shelby County. This act provided that the school districts for Shelby County would remain unchanged. Private Acts of 1917, Chapter 78, amended this, to redistrict Shelby County into ten civil districts rather than seven. Chapter 78 also provided that the new justices of the peace would be elected in June, 1917; but this was amended by Private Acts of 1917, Chapter 300, to provide for an election of justices of the peace from the new civil districts in the regular August election of 1918. The boundary of the seventh civil district was changed by Private Acts of 1921, Chapter 166; and Private Acts of 1923, Chapter 274, detached certain lands from the eighth civil district and placed them in the first civil district. The original redistricting act, Private Acts of 1911, Chapter 195, was also amended by Private Acts of 1925, Chapter 224, which abolished the ninth civil district and attached its land to the second, seventh and eighth civil districts.
3. Private Acts of 1929, Chapter 426, redistricted Shelby County into eight civil districts and defined the boundaries of those districts. This was amended by Acts of 1929 (Ex. Sess.), Chapter 39, which changed the boundaries of some of the civil districts, placing different wards of the City of Memphis in them. Private Acts of 1933, Chapter 667, changed the boundaries of the second civil district, amending the original act.
4. Private Acts of 1935, Chapter 522, redistricted Shelby County into two civil districts and defined the boundaries of those districts. This was amended by Private Acts of 1939, Chapter 166, to include the southern half of the community of Berclair in the second civil district.

Elections

The following is a listing of acts for Shelby 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 1822, Chapter 1, placed Shelby County in the ninth congressional district.
2. Public Acts of 1826, Chapter 3, provided that Haywood, Madison, Tipton, Hardeman, Fayette and Shelby counties were to form one election district and be represented by one senator. Furthermore, the counties of Shelby, Tipton, McNairy, Hardeman and Fayette elected one representative jointly.
3. Public Acts of 1827, Chapter 17, provided for the election of electors of president and vice president of the United States. The eleventh district was composed of the counties of Shelby, Henry, Weakley, Obion, Carroll, Gibson, Dyer, Henderson, Madison, Haywood, Tipton, McNairy, Hardeman and Fayette and elected one elector.
4. Public Acts of 1832, Chapter 4, divided the state into congressional districts. The thirteenth congressional district was composed of the counties of Shelby, Perry, Henderson, McNairy, Fayette and Tipton.
5. Public Acts of 1832, Chapter 9, prescribed the mode of choosing electors to vote for president and vice president of the United States by dividing the state into fifteen electoral districts. The counties of Shelby, Hardeman, Hardin, Henderson, McNairy, Madison and Fayette composed the fourteenth district.
6. Public Acts of 1833, Chapter 71, divided the state into representative and senatorial districts. The counties of Shelby, Hardeman, Fayette and Tipton composed one election district and elected one

- senator. In addition, Shelby and Fayette counties composed one election district and elected one representative. The returning officers of both districts met at Somerville.
7. Public Acts of 1833, Chapter 76, provided for the calling of a convention in Nashville, which consisted of sixty members. Shelby County composed one district and elected one delegate to the convention.
 8. Public Acts of 1835-36, Chapter 39, divided the state into fifteen electoral districts for the purpose of choosing electors to vote for president and vice president. Shelby County was placed in the fourteenth electoral district along with Hardeman, Hardin, Henderson, M'Nairy, Madison and Fayette counties.
 9. Acts of 1842 (Ex. Sess.), Chapter 1, divided the state into senatorial and representative districts. The counties of Shelby, Hardeman and Fayette composed the twenty-fifth senatorial district, the polls of which were compared at Somerville. In addition, these same counties composed a representative district and elected one representative.
 10. Acts of 1842 (Ex. Sess.), Chapter 7, divided the state into congressional districts for the election of representatives to the Congress of the United States. The tenth congressional district was composed of the counties of Shelby, McNairy, Hardeman, Fayette, Tipton, Haywood, Lauderdale and Dyer.
 11. Acts of 1851-52, Chapter 196, divided the state into congressional districts for the election of representatives to the Congress of the United States. The tenth congressional district was composed of the counties of Shelby, Madison, Haywood, Hardeman and Fayette.
 12. Acts of 1851-52, Chapter 197, divided the state into senatorial and representative districts. The counties of Shelby, Tipton and Fayette elected one representative, the polls of which were compared at Concordia. In addition, Shelby and Fayette counties composed one senatorial district with the polls compared at Samuel Leaks, in Shelby County.
 13. Acts of 1853-54, Chapter 151, provided that the polls for "floating representatives" from the counties of Tipton, Fayette and Shelby should be compared at the house of Colonel Samuel C. Leak, in the county of Shelby.
 14. Public Acts of 1865-66, Chapter 57, Section 2, authorized the commissioner of registration of Shelby County to open and keep his office in the City of Memphis.
 15. Public Acts of 1871, Chapter 146, divided the state into senatorial and representative districts. Shelby County was placed in senatorial districts twenty-three through twenty-five. In addition, Shelby County elected six representatives.
 16. Public Acts of 1873, Chapter 27, divided the state into congressional districts. Shelby County was placed in the tenth congressional district along with Fayette and Hardeman counties.
 17. Public Acts of 1881 (Ex. Sess.), Chapter 6, divided the state into representative and senatorial districts. Shelby County elected five representatives and was placed in the thirtysecond and thirty-third senatorial districts.
 18. Public Acts of 1882 (2nd Sess.), Chapter 27, divided the state into congressional districts. Shelby County was placed in the tenth congressional district, along with Tipton, Hardeman and Fayette.
 19. Public Acts of 1890, Chapter 24, provided for more stringent regulations for securing the purity of elections in counties of the state with a population of 70,000 and over, according to the 1890 Federal Census. This act was amended by Private Acts of 1921, Chapter 550, to provide 55 ballots for every fifty registered voters at polling places.
 20. Public Acts of 1891, Chapter 131, divided the state into congressional districts. Shelby County was placed in the tenth congressional district along with Tipton, Hardeman and Fayette counties.
 21. Acts of 1891 (Ex. Sess.), Chapter 10, divided the state into senatorial and representative districts. Shelby County was placed in the thirty-second and thirty-third senatorial district. In addition, Shelby County elected seven representatives.
 22. Acts of 1891 (Ex. Sess.), Chapter 25, provided for the registration of voters in counties with a population of 70,000 and over, according to the Federal Census of 1880. This act was amended by Public Acts of 1891, Chapter 224, which changed the population requirements from 70,000 to 50,000 persons.
 23. Public Acts of 1889, Chapter 188, provided additional regulations for securing the purity of elections in counties having a population of over 70,000, according to the Federal Census of 1880.
 24. Public Acts of 1901, Chapter 109, divided the state into congressional districts. Shelby County was placed in the tenth congressional district along with Hardeman, Tipton and Fayette counties.

25. Public Acts of 1901, Chapter 122, divided the state into representative and senatorial districts. Shelby County elected seven representatives and was placed in the twenty-seventh senatorial district.
26. Private Acts of 1921, Chapter 354, authorized the quarterly county court to purchase and own election paraphernalia, either alone or jointly with the City of Memphis.
27. Private Acts of 1923, Chapter 704, set the compensation for election officials in Shelby and Davidson counties.
28. Private Acts of 1935, Chapter 158, amended the general election law, to provide that the polls would open at 9:00 a.m. and close at 7:00 p.m. in all voting precincts outside the city limits of the county seat in Shelby County. This was repealed by Private Acts of 1939, Chapter 68, which set the election hours in Shelby County at 8:30 a.m. to 7:30 p.m. in all areas of the county.
29. Private Acts of 1959, Chapter 222, attempted to create a county executive committee of the major political party, but this act was not approved by local authorities so its provisions never became effective. This act was repealed expressly by Private Acts of 1977, Chapter 45.
30. Private Acts of 1965, Chapter 210, attempted to redistrict Shelby County into nine civil districts and to provide that the boundaries or number of those districts could not be changed except by act of the general assembly; but this act was not properly ratified by local authorities and did not become effective.
31. Private Acts of 1975, Chapter 127, would have amended Private Acts of 1939, Chapter 166, and Private Acts of 1935, Chapter 522, to include the southern half of the community of Berclair in the first civil district, however, this act was not ratified by Shelby County and therefore never became law.
32. Public Acts of 1979, Chapter 190, stated that effective January 1, 1980, all nominating petitions, instruction cards, application for ballot forms, and the rules and regulations regarding qualifications and qualifying for public office would be available in large print and in recorded form for the benefit of the citizens of Tennessee who suffered from visual impairments.

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