



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Chapter I - Administration

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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,

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](http://www.ctas.tennessee.edu)

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# Chapter I - Administration

## Budget System

### Budget Committee

#### Private Acts of 1976 Chapter 267

**SECTION 1.** There is hereby created a budget committee for Scott County. The budget committee shall consist of three (3) members of the quarterly county court, appointed by the quarterly county court. Each member shall serve for a two (2) year term without additional compensation. The quarterly county court shall appoint the budget committee in the October term of 1976, and once every two (2) years thereafter. A member shall be eligible to succeed himself.

**SECTION 2.** It shall be the duty of each county official to submit a proposed budget for the upcoming fiscal year to the county judge by March 15th of each year. The county judge shall then submit copies of each proposed budget presented to him to the budget committee by April 1st of each year for the committee's consideration. The budget committee shall study the proposed budgets and then submit them to the quarterly county court with its recommendations on each, including reductions, increases, or other alterations, and its recommendation on the tax rate needed to fund such recommendations. Such recommendations shall be submitted to the court at least forty-five (45) days prior to the time the budgets must be adopted.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court for Scott County before July 1, 1976. 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 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 10, 1976.

## Citizen Gas Utility District

### Public Acts of 1959 Chapter 225

**COMPILER'S NOTE:** The following act is a public act of special application and is not codified in [Tennessee Code Annotated](#).

**SECTION 1.** That all acts and proceedings heretofore taken in connection with the organization of the Citizens Gas Utility District of Scott and Morgan Counties, Tennessee are hereby legalized and validated and said District is hereby constituted a valid district under the provisions of the law pursuant to which such organization proceedings were taken, notwithstanding any defect in such proceedings.

**SECTION 2.** From the date of the ratification of this act until the regular August election in 1978, the governing body of the Citizen Gas Utility District of Scott and Morgan Counties shall consist of the present board of that district plus James Griffith of Route 1, Helenwood, Tennessee; Maxine Burton of Elgin, Tennessee; Wilma Laxton of Oneida, Tennessee; Loretta Lloyd of Helenwood, Tennessee; Gary Mason of Oneida, Tennessee; and Verna Bardill of Wartburg, Tennessee. At the regular August election in 1978, there shall be an election held among the subscribers of the district to elect a board of five (5) trustees to govern the district. In the 1978 election one (1) member shall be elected for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years, and one (1) for a term of five (5) years. Each trustee shall hold office for the term for which he is named or elected or until his successor shall have been elected and qualified. Annual elections shall be held among all the membership in the same way and manner as electric cooperatives. The board of trustees shall promulgate a set of by-laws similar to those provided by electric co-operatives within six (6) months of the enactment of this act which by-laws shall be submitted to the members for ratification. Representation on the board of trustees shall be apportioned so that, at all times, three (3) of the trustees shall be residents of Morgan County. Election of trustees shall be conducted so that the customer owners of the district who reside in Scott County shall vote on each trustee to be elected from Scott County and the consumer owners of the district who reside in Morgan County shall vote on each trustee to be elected from Morgan County.

As amended by: Public Acts of 1977, Chapter 237  
Public Acts of 1993, Chapter 176

**SECTION 3.** That all Acts and proceedings heretofore had or taken by the governing body of said District in connection with the authorization of bonds of said District for purchasing, acquisition, construction, reconstruction, improving, betterment, extending, maintaining and operation of said gas system are hereby legalized and validated and said bonds, when delivered in accordance with the provisions of such proceedings, shall constitute the valid and binding obligations of said District payable from the income and revenue provided in such proceedings. After this law shall become effective, no suit or contest shall be instituted in any court of law or equity contesting the validity of any such bonds or the proceedings in connection with the issuance thereof, or in connection with the right of any acting member of the governing body of said District to his office.

**SECTION 4.** The trustees of said district shall receive no salary for their services, but each trustee shall be entitled to receive a fee of one hundred dollars (\$100) for attendance at each meeting of the board, and to reimbursement for all expenses incurred in connection with the performance of their duties, subject to the maximum allowed by the by-laws. No more than one hundred dollars (\$100) shall be paid a trustee for attendance fees for meetings held in any one month, but this limitation in payment of attendance fees shall in no way affect the number of meetings the board may hold in any one month. In the event of a vacancy on the board of trustees, the remaining trustees shall have the right to elect a temporary trustee to serve until the next annual election at which time a successor shall be elected to fill the remaining term of the trustee whose office is vacated.

As amended by: Private Acts of 1977, Chapter 237

**SECTION 5.** That the provisions of this act are severable, and if any of its provisions shall be held to be invalid by any court of competent jurisdiction, the remaining provisions shall remain fully effective, it being hereby declared to be the legislative intent that this Act would have been adopted had any such invalid provision not been included therei

**SEn.CTION 6.** That all laws or parts of laws in conflict herewith be and the same are hereby repealed and that this act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 13, 1959.

## County Attorney

### Private Acts of 1976 Chapter 289

**SECTION 1.** The office of County Attorney is hereby created. This office shall be filled by the people of Scott County. At the regular August election, some person, meeting the requirements of Section 2, shall be elected for a term of four (4) years. The County Attorney shall be elected every four (4) years at the regular August election and take office the succeeding September 1.

As amended by: Private Acts of 1978, Chapter 241

**SECTION 2.** The County Attorney shall be a person licensed to practice law in Tennessee and a bona fide resident of Scott County.

**SECTION 3.** The compensation of the County Attorney shall be set at the May meeting of the Board of County Commissioners for Scott County and shall be not less than Forty Thousand One Hundred Dollars (\$40,100) nor more than Fifty Thousand Dollars (\$50,000), as the same may be changed from time to time by the Board of County Commissioners for Scott County. The salary of the County Attorney, once set, shall not be changed during the term of office of the incumbent for his benefit or to his detriment, except that the County Attorney will be given an allowance for travel expenses while on official county business. The County Attorney shall also be provided with the complete and current volumes of Tennessee Code Annotated.

As amended by: Private Acts of 1978, Chapter 241  
Private Acts of 1986, Chapter 153  
Private Acts of 2000, Chapter 92

**COMPILER'S NOTE:** Section 2 of the Private Acts of 1986, Chapter 153, required the Board of County Commissioners of Scott County to ratify the act before May 1, 1986. According to the County Clerk, the act was not ratified until June, 1986; however, the County is operating under the act as amended.

**SECTION 4.** The County Attorney shall attend each regular or called meeting of the Quarterly County Court, the Scott County Board of Education, and such other meetings of county agencies, boards,

committees, or other bodies as the county court or judge may direct. He shall handle all legal business of the county, and the employment by any county agency or official of another attorney to transact official business shall be at the personal expense of such employer unless his action is directed by the county court. In order to better assist county officials, the County Attorney shall designate one (1) day in each week in which he shall render advice and opinions exclusively to county officials on matters of official business, and shall inform county officials of this designated day.

**SECTION 5.** The provisions of this act shall not be construed to affect the term of office of any person presently serving as County Attorney in Scott County or to impose any additional duties or requirements on him or affect the amount of his compensation. The provisions of this act shall apply to persons elected in August 1976, and thereafter.

**SECTION 6.** Chapter 20 of the Private Acts of 1939, Chapter 603 of the Private Acts of 1951, and Chapter 283 of the Private Acts of 1963, are repealed in their entirety.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Scott County before July 1, 1976. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 8.** 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 7.

Passed: March 19, 1976.

## County Register

## Deputy Register

## Private Acts of 1963 Chapter 292

**SECTION 1.** That the County Register of Deeds of Scott County, Tennessee is hereby empowered to employ a Deputy Register of Deeds to perform the functions of that office under the direction of such Register of Deeds and otherwise assist such Register of Deeds.

As amended by: Private Acts of 1969, Chapter 68  
Private Acts of 1981, Chapter 175

**SECTION 2.** That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of any county to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State, or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve, and shall be certified by him to the Secretary of State.

**SECTION 3.** That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 2 herein.

Passed: March 21, 1963

## Fees

## Public Acts of 1982 Chapter 842

**SECTION 1.** Tennessee Code Annotated, Section 8-21-1001, is amended by adding the following as a new subsection to be designated as subsection (c):

(c) In addition to any other fee permitted in this section or by law, the register of any county having a population of not less than nineteen thousand two hundred (19,200) nor more than nineteen thousand three hundred (19,300) according to the 1980 Federal Census of Population or any subsequent federal census, may demand and receive for his services a fee of two dollars (\$2.00) for each transfer of an instrument.

**SECTION 2.** This act shall take effect July 1, 1982, the public welfare requiring it.

Passed: April 7, 1982.

# County Service Officer

## Private Acts of 1951 Chapter 599

**SECTION 1.** That there is created the office of County Service Officer of counties having a population of not less than 17,060 nor more than 17,075 in the State of Tennessee, according to the Federal Census of 1950, or any subsequent Federal Census.

**SECTION 2.** That James O. Phillips, who resides in Scott County, Tennessee, who is duly qualified to hold said office of County Service Officer, be and he is hereby appointed and designated as County Service Officer for such County or Counties as come within the provisions of this Act, and who shall hold said office until September 1, 1953, or until his successor is elected and qualified, at the July, 1953, Term of the Quarterly County Court of such County or Counties as come within the provisions of this Act; and every two years thereafter said Quarterly County Court shall elect a County Service Officer for a term of two (2) years. The County Service Officer so elected by said Quarterly Court shall be inducted into the Office on September 1, following.

**SECTION 3.** That no person shall be elected to said office unless he is a citizen and a resident of said County and at least 21 years of age.

**SECTION 4.** [Deleted by Private Acts of 2005, Chapter 41]

**SECTION 5.** [Deleted by Private Acts of 2005, Chapter 41]

**SECTION 6.** That it shall be the duty of said County Service Officer to attend to all matters pertaining to Veteran's affairs; advise and assist all Veterans, their families and the public generally as to their respective rights and duties relative thereto; also, assist in the filing of their respective claims and proof in support thereof; also, work in conjunction and cooperate with the Veterans Administration.

That it shall be the further duty of said County Service Officer to cooperate and work with and in conjunction with all branches of the armed forces, and he shall be entitled to full recognition in all investigations and reports so requested.

**SECTION 7.** That if any one or more sections, clauses, sentences, phrases or parts of this Act shall for any reason be questioned in any court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional, or invalidity of any section, clause or provision of this Act in any one or more instances shall not be taken to affect or prejudiced (sic) in any way its applicability or validity in any other instance.

It is hereby declared and shall be conclusively presented that this Act, and each section, subsection, sentence, clause and phrase thereof would have been passed, and enacted, irrespective of the fact that any one or more sections, clauses, sentences, phrases or parts thereof be declared unconstitutional, inapplicable, invalid, void or ineffective for any cause.

**SECTION 8.** That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

**SECTION 9.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 16, 1951.

## Private Acts of 1988 Chapter 227

**SECTION 1.** Chapter 599 of the Private Acts of 1951, as amended by Chapter 333 of the Private Acts of 1970, Chapter 315 of the Private Acts of 1974, Chapter 238 of the Private Acts of 1976, Chapter 174 of the Private Acts of 1981, Chapter 211 of the Private Acts of 1984, Chapter 65 of the Private Acts of 1987, and all other acts amendatory thereto, is further amended by deleting Section 4 in its entirety and by substituting instead the following:

Section 4. The compensation of the county service officer shall be set at the July meeting of the county legislative body, and shall not be less than six thousand dollars (\$6,000) nor more than fifteen thousand dollars (\$15,000) per annum, payable in equal monthly installments from the county general funds of the county in such amounts as may be established by the board of county commissioner for each budget year. The county service officer shall submit his budget request to the finance committee of Scott County prior to April 1 of each year in order that the compensation of the county service officer can be set by the board of the county commissioners at the July meeting of the county legislative body. Such funds, once the amount of the same has been established by the county legislative body for each year, shall be drawn upon the county trustee by the county executive.

**SECTION 2.** Nothing in this act shall be construed as having the effect of altering the salary of any incumbent prior to the end of the term for which such public officer was selected.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the board of county commissioners of Scott County. Its approval or nonapproval shall be proclaimed by the presiding officer of the board of county commissioners of Scott County and certified by him to the secretary of state.

**SECTION 4.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

Passed: April 28, 1988.

## Administration - Historical Notes

### **Budget System**

The following acts once created a budgeting system for Scott County, but they have been specifically repealed or superseded by current law. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1937, Chapter 515, created a 3 member Budget Committee who would be appointed by the county court for 2 year terms. The budget for each and every department was promulgated and filed with the Budget Committee, provided, however, that the County Judge or Chairman of the County Court was responsible for budgeting for the general county expenditure. This act and its amendment were repealed by Private Acts of 1976, Chapter 267.
2. Private Acts of 1939, Chapter 393, rewrote Sections 2 and 3 of the Private Acts of 1937, Chapter 515. All departments were required to file a proposed budget on or before March 10th, instead of June 1st as before. The amendment also set an April 10th deadline for the Quarterly Court to adopt a school budget and no later than the end of the July term to adopt budgets for all other departments.

### **County Attorney**

The following acts once affected the appointment, election, or office of the county attorney in Scott County. These acts are included for historical reference only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1913, Chapter 190, created the office of County Attorney for Scott County. He would be appointed by the Governor until the office could be filled by popular vote. The salary, which could not be changed during the four year term, was to be fixed by the Quarterly County Court between \$400 and \$600 annually payable quarterly. A \$1,000 performance bond was required. The County Attorney would transact all the legal business of the county, assist in audits and in tax equalization matters, and in the collection of revenues. He would counsel with all county officials, who were prohibited from employing any other attorney, and he would assist the District Attorney General in the indictment and prosecution of crimes.
2. Private Acts of 1917, Chapter 625, repealed Private Acts of 1913, Chapter 190, and abolished the post of County Attorney in Scott County.
3. Private Acts of 1939, Chapter 20, created the office of County Attorney in Scott County. This act and its amendments were repealed by Private Acts of 1976, Chapter 289.
4. Private Acts of 1951, Chapter 603, amended Private Acts of 1939, Chapter 20, by striking out the \$900 figure and inserting \$1,200, thereby increasing the yearly salary of the County Attorney to that amount.
5. Private Acts of 1963, Chapter 283, amended Private Acts of 1951, Chapter 603, by raising the annual compensation of the County Attorney for Scott County from \$1,200 to \$3,600.
6. Private Acts of 1998, Chapter 173, amended Private Acts of 1976, Chapter 289, raising the compensation of the County Attorney to not less than \$40,100 nor more than \$50,000. If the county attorney was chosen to collect delinquent taxes then the position of Delinquent Tax Attorney and the office of County Attorney were to be combined and the compensation of the Delinquent Tax Attorney would be that of the applicable general law in effect or as changed from time to time by the General Assembly.

### **County Clerk**

The following acts once affected the office of county clerk in Scott County. They are included herein for historical purposes.

1. Private Acts of 1935, Chapter 664, provided that the County Court Clerk of Scott County would be paid \$200 per annum as compensation which would be in addition to all the other fees and emoluments of this office to which he might be entitled.
2. Private Acts of 1945, Chapter 222, declared that the County Court Clerk of Scott County, quoting the 1940 Federal Census figures, was authorized to employ such clerical help as he might deem right and proper who would assist him in the performance of his duties, but the amount to be paid to said help could not exceed \$300 per year, payable from the general funds of the county to the person whose name appears on the warrant. (It is assumed that this act has been superseded by the general law as it has never been repealed.)
3. Private Acts of 1951, Chapter 588, amended Private Acts of 1945, Chapter 222, by increasing the maximum amount to be paid for clerical assistance by the County Court Clerk from \$300 to \$1,200 annually.

### **County Legislative Body**

The following acts once applied to the quarterly court or the county legislative body of Scott County and are included herein for historical purposes.

1. Acts of 1899, Chapter 44, provided that the 2nd Civil District of Scott County shall hereafter have an additional Justice of the Peace who shall be elected by the voters of the District voting at Helenwood Precinct. The Justice shall reside at and keep his office at Helenwood. The first election shall be held at the expiration of the term or at the vacation of the office by J. J. Newport. The person elected shall hold office until his successor is elected and qualified.
2. Acts of 1899, Chapter 370, declared that the Third Civil District of Scott County was entitled to two more Justices of the Peace and two more Constables one each for Glen Mary and one each for Robbins. All of them shall reside in the old incorporated limits and be elected by the voters of the District.
3. Private Acts of 1911, Chapter 344, provided that the Justices of the Peace in Scott County and in Campbell County are entitled to receive as compensation for their services \$2 per day for each day of attendance at any regular or special session of the Quarterly County Court. They would also be paid five cents per mile for each mile traveled in going and coming to the court house from their residence.
4. Private Acts of 1911, Chapter 406, was exactly the same Act as the one in Item 3 above, an example of some infrequent duplications of the enactment of laws by our old legislative bodies.
5. Private Acts of 1933, Chapter 764, made it unlawful in Scott County for any member of the County Court to teach school or to make any sort of contract with the Board of Education. It was likewise declared unlawful for the Board of Education to approve or to enter into such a contract, it being the declared intention of this act to forbid any Justice of the Peace to enter into contracts with the Board of Education, to teach in any schools, or to make any other contract with the Board. Fines from \$10 to \$50 were established for violations. This Act was declared unconstitutional by the Tennessee Supreme Court in the case of Lewallen v. Hawn, 166 Tenn. 467, 63 SW2d 1008 (1933). on the grounds that it was discriminatory legislation.
6. Private Acts of 1945, Chapter 221, stated that in Scott County, as determined by the 1940 Federal Census figures, the Justices of the Peace shall receive a per diem compensation of \$5 for attendance upon all regular and called sessions of the Quarterly County Court which shall be in addition to any mileage which may be allowed them by law.
7. Private Acts of 1957, Chapter 179, had provisions to set the per diem compensation of the Justices of the Peace in Scott County at \$10 per day for each day's attendance at the regular and called sessions of the Quarterly County Court and to pay them also twelve cents per mile for all miles actually traveled, both ways, from home to court house. This Act was applicable only to those Justices assuming office on and after September 1, 1960. This Act was properly ratified by the Quarterly County Court.
8. Private Acts of 1971, Chapter 33, set the per diem compensation of the Justices of the Peace of Scott County at \$20 per day and the mileage at twelve cents per mile for each mile actually traveled, both ways, between home and Courthouse. The Chairman Pro Tempore shall be compensated, in addition to his pay as a Justice, at the rate of \$25 per month for the additional duties assigned to him by the County Judge or by the Quarterly Court. This act was rejected and disapproved by the Quarterly Court and never became effective.
9. Private Acts of 1974, Chapter 321, set the compensation of Justices of the Peace in Scott County at \$50 per month and 20¢ per mile for attending sessions of the Quarterly County Court.



10. Private Acts of 1978, Chapter 242, raised the monthly compensation of Justices of the Peace to \$100

**County Mayor**

The county mayor is authorized to employ one or more clerical assistants as may be necessary for the performance of his or her official duties. The county mayor sets the compensation for these clerical assistants within the amount appropriated for this purpose by the county legislative body. T.C.A. § 5-6-116.

1. Acts of 1856, Chapter 253, established, in every Tennessee County, the position of County Judge, who would be learned in the law and elected by popular vote for four (4) year terms. The County Judge would be sworn into office and commissioned as other Judges were. Quorum Courts were abolished, and the posts of Chairman of the County Court were abandoned, the responsibilities of both being given to the County Judge. Procedures for holding the regular and the monthly sessions of the court were established and the power and jurisdiction of the Court defined. The County Judge would also be the accounting officer and the general agent of the county being obligated to perform all the duties listed therein. He would be paid \$5 per day for every day spent as the Judge but the Quarterly County Court could pay more to him if they desired. The County Judge was allowed to continue practicing law in every court but his.
2. Acts of 1857-58, Chapter 5, repealed the above Act and restored the Quorum Courts to activity.
3. Acts of 1868-69, Chapter 35, created the office of county judge in Scott County elected by the qualified voters for a term of eight years with a salary of \$200 per annum paid quarterly. The quorum court was abolished.
4. Acts of 1868-69, Chapter 44, changed the date for the election of the County Judge in Scott County from the first Saturday in May, 1869, to the fourth Thursday in May, 1869.
5. Private Acts of 1911, Chapter 167, amended Acts of 1868-69, Chapter 35, in almost the same manner in which Private Acts of 1919, Chapter 659 did. The County Judge was given the additional duty of inspecting each and every assessment of personal and real property involving acreage and, if less, to report the same to the Equalization Board. He was also made an ex officio member of the Equalization Board, the Workhouse and Poorhouse Commission, and the Bridge and Road Commission with the power to employ a competent civil engineer, if desired. The County Judge was further given the power to issue fiats for injunctions and attachments as was exercised by Judges and Chancellors for all of which he would be paid \$1,000 per year, computed from September 1.
6. Private Acts of 1919, Chapter 659, amended Acts of 1868, Chapter 35, so as to enlarge the duties of the County Judge to include personal inspection and evaluation of all personal and real property for tax purposes and make known his findings to the Board of Equalization. The Judge was also given power to grant fiats and appoint receivers and was also appointed to several Boards and Commissions.
7. Private Acts of 1929, Chapter 369, authorized and empowered the County Judge of Scott County to appoint and employ a clerk who shall assist in the performance of the clerical duties of the said office. The Clerk shall hold the position at the pleasure of the Judge and the salary shall not exceed \$75 per month. This act was repealed by Private Acts of 1933, Chapter 211, below.
8. Private Acts of 1933, Chapter 183, amended Private Acts of 1919, Chapter 659, by reducing the compensation of the County Judge, as provided in that act, from \$1,500 to \$1,200 per year.
9. Private Acts of 1933, Chapter 211, repealed Private Acts of 1929, Chapter 369, Item 5, above, in its entirety with the provision that the Clerk's salary be reduced to \$50 per month until September 1, 1934, at which time this act will take effect and the clerk's job will be abolished.
10. Private Acts of 1935, Chapter 553, stated that the County Judge in Scott County is authorized to expend a sum not to exceed \$900 per annum for necessary clerical, stenographical and other office expenses. The money would be expended on the warrant of the County Judge from general County funds. This act was repealed by the one below.
11. Private Acts of 1939, Chapter 18, repealed Private Acts of 1935, Chapter 553.
12. Private Acts of 1943, Chapter 265, designated the County Judge as Financial Agent and Chief Accounting Officer in Scott County.
13. Private Acts of 1951, Chapter 600, amended Private Acts of 1943, Chapter 265, by increasing the compensation named in Section 2 of that act from \$1,200 to \$1,800 per year.
14. Private Acts of 1963, Chapter 36, recited that the Quarterly County Court and the County Judge of

Scott County have requested that the salary of the Clerk to the County Judge be increased by local legislation, and therefore, this act amends Private Acts of 1951, Chapter 601, by raising that salary from \$1,500 to \$2,100 a year.

15. Private Acts of 1963, Chapter 257, would have repealed Private Acts of 1943, Chapter 265, and Private Acts of 1951, Chapter 600, which fixed the compensation of the County Judge for his services as financial agent and Chief Accounting Officer, but this Act was rejected and disapproved by the local Quarterly County Court and never became a law for Scott County.
16. Private Acts of 1967-68, Chapter 427, repealed Private Acts of 1963, Chapter 36, in its entirety.
17. Private Acts of 1971, Chapter 31, provided for a chairman pro tempore of the county court to perform all the duties and functions of the regular county judge during any sickness or disability of the regular county judge.
18. Private Acts of 1978, Chapter 314, gave the County Judge of Scott County concurrent jurisdiction with the general sessions judges to supervise and approve the emergency commitment of mentally ill persons.

### **County Register**

The following acts once affected the office of county register in Scott County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 613, provided that, in Scott County, using the 1930 Federal Census population figures, the Registers would be paid the sum of \$600 annually, payable monthly out of the regular County funds, which sum would be in addition to all the fees of the office as now allowed by law.
2. Private Acts of 1945, Chapter 191, amended Private Acts of 1935, Chapter 613, by raising the compensation of the Register from \$600 to \$900 annually, also to be over and above all the lawful fees of the office.
3. Private Acts of 1951, Chapter 604, amended Private Acts of 1945, Chapter 191, by increasing the extra compensation of the County Register from \$900 to \$1,500 annually. All the other terms and conditions would remain as they were.
4. Private Acts of 1969, Chapter 68, amended Private Acts of 1963, Chapter 292, by changing the monthly rate of pay for the Deputy Register. The sentence was "The compensation of the Deputy Register of Deeds shall be Three Hundred Dollars (\$300) per month, payable out of the General Fund of the County." This Act was repealed by Private Acts of 1981, Chapter 175.
5. Private Acts of 1972, Chapter 257, would have amended Private Acts of 1963, Chapter 292, by deleting the \$300 per month salary for the Deputy Register and substituting \$400 per month, but this Act was rejected and disapproved by the local County Court and never became effective under the Home Rule Amendment to the Constitution.
6. Private Acts of 1981, Chapter 175, repeals specifically and entirely Private Acts of 1969, Chapter 68, which set the compensation for the Deputy Register of Deeds. Chapter 175 was approved locally on October 19, 1981.

### **County Service Officer**

The following act affected the office of County Service Officer but is not currently operative in Scott County.

1. Private Acts of 1987, Chapter 65, increased the lower limit of the compensation for the County Service Officer in Scott County but was disapproved by the Board of County Commissioners and never became operative.

### **General Reference**

The following private or local acts constitute part of the administrative and political history of Scott County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1851-52, Chapter 342, stated that Scott County was attached to the Sparta District of the Bank of Tennessee.
2. Acts of 1853-54, Chapter 116, declared that Scott County was still a part of the Sparta District of the Bank of Tennessee and was entitled to name a Director of that Branch.
3. Acts of 1897, Chapter 124, was one of the early salary acts which set the salary of various public officials according to the population of the county. This act was a forerunner and pattern of those which followed, eventually culminating into our present statutes. This Act, however, was declared

to be unconstitutional in the case of *Weaver v. Davidson County*, 104 Tenn. 315, 59 SW 1105 (1900).

4. Private Acts of 1929, Chapter 775, declared it unlawful for any county officer in Scott County to overdraw or spend in excess of current county revenue. Current revenue was defined as the tax levy of the Quarterly County Court for each county purpose multiplied by the tax aggregate. It was the duty of officials to keep a budget and a record of all expenditures which would be open for inspection at all times. Those guilty of violating these provisions were subject to \$100 to \$500 fines plus ten days in jail in the discretion of the court and would also be grounds for ouster proceedings. The contents of this law were required to be charged to Grand Juries.
5. Private Acts of 1937, Chapter 274, divided Scott County into three separate districts for the Poor Farm from which one Poor Farm Commissioner each would be elected. The first District contained the first and fifth Civil Districts, the second District had the second and third Civil Districts, and the third was composed of the fourth Civil District.
6. Private Acts of 1947, Chapter 775, ratified and validated the action and order of the Quarterly County Court of Scott County in appointing Howard H. Baker, Roscoe Byrd, Maxwell Sexton, Jerry Thompson, and C. W. Wright as Commissioners to contract for and to supervise the erection of a new Court house at Huntsville to replace the one recently destroyed by fire. The Commissioners were given all the authority to accomplish their purposes.
7. Private Acts of 1961, Chapter 401, was rejected and disapproved by the Quarterly County Court of Scott County and therefore never became an effective law under the Home Rule Amendment to the Constitution. The statute created a Purchasing Commission of three members who could not be Justices of the Peace and whose expenses would be paid up to \$10 per day and \$120 per year. The Commission would appoint a Purchasing Agent at a salary not to exceed \$4,800 a year, who must make a \$10,000 bond, and who would be given such assistants as may be needed. The Commission and the Agent, whose duties are specified in Section 7, would establish the purchasing policy, adopt and promulgate rules for observance in the discharge of several purchasing functions primarily in the administrative area. All purchases over \$5,000 must be approved by the County Court and sealed bids must be solicited for all over \$300. The County Attorney was to approve all contracts.

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