

HOUSE BILL 1943

By Holt

AN ACT to amend Tennessee Code Annotated, Title 2;
Title 5; Title 7 and Title 8, Chapter 47, relative to
county government.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 5-5-112(a), is amended by deleting the subsection and substituting instead the following:

(a)

(1) A member of the county legislative body who is also an employee of the same county or whose spouse is an employee of the same county shall not vote on matters in which the member has a conflict of interest.

(2)

(A) A member with a conflict of interest under subdivision (a)(1) shall inform the legislative body of the county of the conflict immediately prior to the vote as follows:

"Because (I am)(my spouse is) an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted."

(B) In making the declaration under subdivision (a)(2)(A), the member shall abstain from voting on such matters.

(3) A conflict of interest is created under this section when a member of the county legislative body is voting on budgets, appropriation resolutions, transfer of money resolutions, tax rate resolutions, benefits, or amendments

thereto, within the governing county entity or departmental entity of the county in which the legislative member or spouse is employed.

(4) Any member of a county legislative body who votes on matters in which such member has a conflict of interest pursuant to subdivision (a)(1) or who fails to declare a conflict of interest pursuant to subdivision (a)(2) is subject to removal from office in accordance with title 8, chapter 47.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.