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Gibson

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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

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Gibson



Gibson County Courthouse

Original Compilation By: Carole Wiggins, Legal Specialist, and Thomas W. Graham, Assistant Director for Legal Services, 1981

Revised and Edited By: M. Elizabeth McCroskey, Legal Specialist, 1992

Updated By: Stephen Austin, Legal Consultant, 2022

Chapter I - Administration

Budget System

Private Acts of 1993 Chapter 23

SECTION 1. Chapter 517 of the Private Acts of 1935, as amended by Chapter 452 of the Private Acts of 1937, and all acts amendatory thereto is hereby repealed. Gibson County shall follow the general procedures set forth in Sections 2 through 11 in this act in the preparation, adoption, and execution of all budgets respecting all funds, activities, and agencies of county government.

SECTION 2. The county budget committee of Gibson County is hereby created. The committee shall consist of five (5) members of the County Legislative Body, each of whom shall be nominated by the county executive and approved by the County Legislative Body at its regular September session of each year or at any subsequent session. The county executive shall serve as a non-voting ex officio member of the budget committee, and shall serve as secretary of the committee. The five (5) members of the budget committee shall be compensated as provided in Tennessee Code Annotated, Section 5-5-107(d), for committees of the County Legislative Body. Compensation, as well as any provision for printing, publicity, supplies, and other necessary expenses of the budget committee, shall be payable from the county general fund and shall be included in the annual appropriations. The budget committee shall perform all duties respecting county budgets and appropriations as herein provided.

SECTION 3. There is hereby created a fiscal year for Gibson County and for each office, department, institution, activity and agency thereof, which fiscal year shall begin on July 1 each year and shall end on June 30 next following. The fiscal year shall constitute the budget year, and the year for accounting and reporting of each and every fund, office, department, institution, activity, and agency of the county government; but the aforesaid provision shall be in addition to, and not in lieu of, any accounting and reporting now required of any official by general law.

SECTION 4. (a) The county highway commissioners or superintendent shall, on or before the first day of April of each year, file with the county executive an itemized statement of the funds estimated to be required for the county road program for the ensuing fiscal year and for the construction, operation, repair and maintenance of the county road system and for the general administration of the highway department, together with an estimate of the highway and road funds expected to be received during such fiscal year.

(b) The county executive, on or before April 1st of each year, shall prepare an itemized statement of the amounts which he estimates are necessary to be expended from the county general fund, the debt service funds and from all other funds (excluding highway funds, school funds, and funds, and funds derived from the sale of bonds), together with an estimate of the revenue to be received during the next fiscal year.

(c) Each of the other operating departments, institutions, offices and agencies shall file with the county executive on or before April 1st of each year a detailed estimate of its requirements for expenditures from the county's fund for the ensuing fiscal year, together with an estimate of any county revenues to be received by such agency, office or department.

(d) The county executive shall, on or before May 1st of each year file a consolidated budget document with the budget committee showing an itemized statement of the amounts estimated by the various departments and officials to be required for the efficient operation of the county government from the county general fund, the debt service funds, highway funds, and all funds, together with an estimate of the revenues estimated to be received by each of the funds during the next fiscal year and an estimate of the unencumbered cash balance of each of the funds at the beginning of the fiscal year.

(e) It is the duty of each official, office, department, institution, agent, or employee of the county government to furnish in writing such information, in such form and at such time as may be requested by the budget committee.

SECTION 5. At least thirty (30) days prior to the beginning of each fiscal year the budget committee shall review and adopt the annual budget. The budget document shall contain an itemized and classified plan of all proposed expenditures and estimated receipts for the ensuing fiscal year, and shall conform to the uniform classification of accounts established by the county executive. However, the classification of accounts must be first approved by the Comptroller of the Treasury. Opposite each item of estimated revenue the budget document shall show in opposite parallel columns the amount actually collected for the last completed fiscal year, a revised estimated amount for the current fiscal year, and the estimate for the ensuing fiscal year. Likewise, opposite each item of proposed expenditure the budget document shall show the amount actually expended for such item during the last completed year, the probable amount which will be spent during the current

fiscal year and the proposed appropriations or expenditure estimate for the ensuing fiscal year. In preparing the budget, the budget committee may revise, as it deems necessary, the estimates or requests made by the various departments, officials, offices, institutions and agencies of the county, but any county official or employee shall be entitled to a hearing before the budget committee with reference to any contemplated changes in his budget requests or estimates. The budget committee shall certainly and fully provide in the budget for all requirements for debt service, interest and bond maturities and for any cash deficit in any fund at the beginning of the fiscal year, and shall propose a tentative tax rate for the current calendar year.

SECTION 6. On or before June 15th of each year the budget committee shall cause a synopsis of the proposed budget, and a statement of the tax rate required to finance the proposed budget, to be published in a newspaper having general circulation in such county. The synopsis of the proposed budget shall contain all information required by, and shall otherwise comply with, any general laws requiring publication of the budget. The publication shall also contain a notice of a public hearing to be conducted by the budget committee at which any citizen of the county shall have the right to appear and state his view on the budget. Such public hearing shall be held by the budget committee no later than ten (10) days prior to the beginning of the fiscal year. Following such public hearing, the budget committee shall make the final revision of the budget document and prepare copies for presentation to the County Legislative Body.

SECTION 7. (a) The budget committee shall present the proposed consolidated budget to the County Legislative Body by July 1 of each year. The proposed budget shall be accompanied by a budget message explaining the financial program and outlining the services, work and activities to be financed by the proposed budget and a brief discussion of the means proposed for financing the expenditure program set forth in the budget. With the proposed budget, the budget committee shall deliver to the County Legislative Body a budget appropriation resolution and a tax levy resolution.

(b) The County Legislative Body may accept or reject the budget as submitted to it by the budget committee. If the budget is not approved in its entirety, the County Legislative Body shall make such recommendations as it deems appropriate, and return the budget document to the budget committee for revision and resubmission to the County Legislative Body.

(c) The County Legislative Body shall finally adopt a budget not later than the fourth Monday in July. The budget, the appropriation resolution, and the tax levy resolution, as adopted, shall be spread upon the minutes of the County Legislative Body.

(d) Pending final adoption of the budget by the County Legislative Body, the county executive is hereby authorized to make temporary allotments for expenditures for essential county services for all county funds budgeted according to this act, in amounts not in excess of the comparable allotment for an average quarter of the preceding fiscal year.

SECTION 8. (a) The appropriations made in the appropriation resolution, or any amendment thereto, shall constitute the limit to expenditures for the various purposes and from the several funds of such county for the fiscal year covered by the resolution, and no expenditure shall be made or obligation created in excess of such limitation. Any resolution presented to the County Legislative Body in any fiscal year, after the original appropriation resolution has been adopted and the tax rate for the year fixed by that body, which provides for an appropriation in addition to those made in the original budget appropriation resolution, shall specifically provide sufficient revenue or other funds to meet expenditures to be made in consequence of such additional appropriations. If at any time during the fiscal year it shall become apparent that the revenues of any of the county's funds together with its unencumbered cash balance at the beginning of such year will not be sufficient to equal the amount of the original appropriations, it shall be the duty of the county executive to impound the appropriations from such fund in such amount as shall appear necessary, subject to the written approval of the budget committee; and then it shall be presented to the County Legislative Body for their approval at their next regular session.

(b) The appropriations made by the County Legislative Body, as provided above, shall constitute authorization for expenditure, and expenditures may be made and obligations created against any appropriation to an aggregate total of the amount appropriated for such item. However, the expenditures and encumbrances against the amounts appropriated shall be made only in consequence of a purchase order as may be required by state law.

(c) No expenditures made or obligations created in any manner other than so specified or authorized in this act shall be valid or binding against the county. Provided, however, that the County Legislative Body may issue such regulations as it deems necessary for the prompt handling of bona fide emergencies.

(d) Expenditures from all funds of the county shall be made by disbursement warrants on the county trustee or by checks, signed by the official authorized by state law to issue warrants or checks for such expenditures. Before any disbursement warrant shall be issued in discharge of any obligation, a detailed invoice or statement thereof shall be filed

with the responsible official, and it shall be his duty to carefully check all such invoices to determine if they are correct, if the goods or services have been received or rendered as stated, and if the obligation is just, authorized or legally binding on the county.

(e) Bill and accounts incurred in accordance with authorized appropriations shall be paid promptly in order that the county may obtain the benefit of cash discounts; and for this purpose, it shall not be necessary for any such bill or account to be filed and recorded by the county clerk or to be approved before payment by the County Legislative Body or by any committee or commission appointed by it.

SECTION 9. The county executive shall make a report at the end of each month showing the condition of the budget. The report shall show for each item of appropriation, and/or allotment thereof, the total expenditures for the month and the year to date, the amount of outstanding encumbrances and the amount of the unencumbered balance. The report shall also show for each funds an itemized statement of the revenues and receipts estimated for the year, the amount of the collections of each item for the month and year-to-date and the unrealized portion of the estimate. The most recent of such reports shall be presented by the county executive at each regular session of the County Legislative Body. At such time he shall advise the County Legislative Body of the condition of the budget, and of any adjustment or reduction of appropriations which should be made, and shall recommend any other action which, in his opinion, the County Legislative Body should take in order that the budget shall be kept in balance.

SECTION 10. Any official or employee of the county, or of any institution or agency thereof, who shall fail or refuse to perform the duties required of him by this act, or who shall fail or refuse otherwise to conform to the provisions of this act, shall be subject to fine and to removal from his office or position.

SECTION 11. The provisions of this act shall not apply to county school funds for any purpose, the county board of education, or the county superintendent.

SECTION 12. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Gibson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Legislative Body of Gibson County and certified by him to the Secretary of State.

SECTION 13. 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 12.

Passed: March 4, 1993.

County Attorney

Private Acts of 1967-68 Chapter 120

SECTION 1. The office of County Attorney is created for Gibson County. The County Attorney shall be elected by the Quarterly County Court upon the recommendation of the County Judge at the next regular session of the Quarterly County Court following the effective date of this Act and shall serve for a term of two (2) years or until his successor is elected and qualified. In the event of a vacancy the same shall be filled by the County Judge of the Quarterly Court, until the next regular or special meeting of the Quarterly County Court.

SECTION 2. The County Attorney shall be a resident of Gibson County and shall be licensed to practice law in the State of Tennessee.

SECTION 3. It shall be the duty of the County Attorney to advise with the County Judge, all committees of the Quarterly County Court, and all other county officials upon legal matters pertaining to their respective office, and prepare and render written legal opinions to all county officers pertaining to the performance of their official duties.

SECTION 4. The Quarterly County Court shall fix his compensation payable on the first day of each month out of the general funds of the county upon a warrant drawn by the County Judge upon the County Trustee.

SECTION 5. The County Attorney shall take and subscribe to the following oath: "I do solemnly swear that I will perform with fidelity the duties of the office of County Attorney to which I have been elected and which I am about to assume to the best of my ability."

SECTION 6. In the event the County Attorney is called upon to represent the county in any extra or special legal

matter of litigation not referred to in this Act, he shall be entitled to additional compensation, the amount of which, if not agreed on in advance between the Quarterly County Court and the County Attorney, shall be in accordance with the prevailing fees charged by the member of the bar of the county.

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 Gibson County at or before the next regular meeting of the Court occurring more than thirty (30) days after its approval by the Governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the Court and certified by him to the Secretary of State.

SECTION 8. This Act shall take effect upon becoming law, the public welfare requiring it.

Passed: April 27, 1967.

County Legislative Body

Private Acts of 1933 Chapter 212

COMPILER'S NOTES: Quarterly County Courts were abolished in 1978 and were replaced by the county legislative body (also referred to as Board of County Commissioners). See T.C.A. § 5-5-101 et seq. In the act reproduced above, references to the "Quarterly County Court" now refer to the county legislative body. \

Voting procedure for the election of county officers is governed by T.C.A. § 5-5-116, but the Tennessee Supreme Court has held that the statute is entirely directory. State ex rel. Wolfe v. Henegar, 175 S.W.2d 553 (Tenn. 1943). Therefore, Section 1 of Private Acts of 1933, Chapter 212 governing voting procedure for election of county officers probably has not been superseded by the statute.

SECTION 1. That in counties having a population of not less than 46,525 and not more than 46,530 according to the Federal Census of 1930, or any subsequent Federal Census, the Quarterly County Courts when electing any county officer, which under the law they are empowered to elect, shall cast their votes by calling the name or names of the candidates for whom they desire to vote when the roll of the Court is called by the County Court Clerk for the purpose of ascertaining and recording the vote and/or votes of the members of said courts in the election or elections of county officers as aforesaid. It shall be mandatory for the vote in the election of county officers by the County Court to be so ascertained and the clerk of the court shall record the vote of each and every member of the court, and the minutes of the court shall show how each and every member of the County Court voted or for whom each voted in the election of county officers. No person shall be legally elected to any county office in the counties coming under the provision of this Act by the said Courts to any county office, unless the vote is so taken and so recorded, and no one shall hold any county office in the counties coming under the provisions of this Act until the provisions of this Act are complied with.

SECTION 2. That the Quarterly County Court in the counties coming under the provisions of this Act, in voting on appropriations of County funds for any purpose, shall in each and every instance wherein the amount or any item shall be in the amount of Fifty Dollars (\$50.00) or in excess thereof, in response to a roll call by the County Court Clerk vote aye or a no, and the record or minutes of the court shall show how each and every member of the court voted on said item. No appropriation for any one item in the amount of Fifty Dollars (\$50.00), or in excess thereof, shall be deemed to have been approved by the Quarterly County Court in the counties coming under the provisions of this Act, unless the minutes of the court show how each and every member voted on each particular item mentioned above, and in no case shall any such appropriation of the amount above designated be deemed to have been made by the Quarterly County Courts in counties coming under the provisions of this Act, unless a majority of the members of said court vote said appropriation and the record show that the majority of the court did so vote.

COMPILER'S NOTE: Voting on appropriations of any amount is governed by T.C.A. § 5-9-302. The provisions of the 1933 act appear not to conflict with the statutory requirements, but provide additionally that any appropriations over \$50 which are not properly approved and recorded shall be void.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 30, 1933.

Obion and Forked Deer River

Flood Control and Drainage Improvements

Public Acts of 1959 Chapter 129

WHEREAS, Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, authorized the construction of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries in Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison Counties, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session; and

WHEREAS, The construction of such flood control and drainage improvements at federal expense cannot be undertaken by the Corps of Engineers, United States Army, until a responsible sponsoring agency furnished the United States of America written assurances that it will perform the local cooperation required by law:

SECTION 1. That, in consideration of the construction at federal expense by the Corps of Engineers, United States Army, of flood control and drainage improvements of the Obion and Forked Deer Rivers and their tributaries, in the Counties of Obion, Weakley, Gibson, Dyer, Crockett, Lauderdale, Haywood, and Madison, substantially in accordance with the reports of the Chief of Engineers, United States Army, House Document No. 757, 79th Congress, Second Session, and House Document No. 627, 80th Congress, Second Session, as authorized by Public Law 526, 79th Congress, Second Session, and Public Law 858, 80th Congress, Second Session, the State of Tennessee, through its Obion-Forked Deer Basin Authority, be authorized and empowered to defray the cost of the alteration of existing highway bridges in Dyer and Lauderdale Counties required by such improvements, to acquire and furnish without cost to the United States of America all lands, easements, and rights of way required for construction of such improvements, and to maintain all such works after completion; and to execute and furnish to the United States of America written assurances that it will perform the aforesaid acts of local cooperation; and that the State of Tennessee, acting by and through the Governor and the Obion-Forked Deer River Basin Authority, be authorized and empowered to execute and furnish to the United States of America written assurances that it will hold and save the United States of America free from any damages that may result from any special construction, without cost to the Tennessee Game and Fish Commission, by way of continuous spoil banks, culverts, locks and/or other structures under contracts let by the Corps of Engineers, United States Army, along the improved channels of the Obion and Forked Deer Rivers and/or the tributaries thereof over, across or along the boundary of any tract of land owned by or leased to the Tennessee Game and Fish Commission designed to permit the control and/or regulation of the water level on said land in its use as a public hunting area and/or a game refuge or sanctuary.

As amended by:

Public Acts of 1963, Chapter 149

Public Acts of 1974, Chapter 415

SECTION 2. That the State of Tennessee, through its Obion-Forked Deer Basin Authority, acting through and in conjunction with the Counties in which such improvements are to be constructed, shall be authorized and empowered to acquire and furnish the lands, easements and rights of way required for such work. To this end, the power of eminent domain is hereby conferred upon the state and the counties in which such improvements shall be constructed for the purpose of acquiring such lands, easements and rights of way as may be deemed necessary for the purposes of this Chapter. The general statutes relating to the acquisition of lands for works of internal improvement shall be applicable both as to the bringing of condemnation actions and the remedies of property owners. The counties in which such improvements are to be made shall be charged with the responsibility of acquiring the necessary lands, easements and rights of way either by gift, purchase or condemnation. The cost of any such lands, easements and rights of way through purchase or condemnation shall be paid by the State of Tennessee. All other expense incident to the cost of acquisition of such lands, easements and rights of way, including title or abstract work, appraisal fees, attorney fees and court costs, shall be borne by the county in which the required lands, easements and rights of way are located. In the event any County fails or refuses to acquire such necessary lands, easements and rights of way, the State, through the Obion-Forked Deer Basin Authority, shall acquire the same, either by purchase, gift or condemnation, and such County shall be liable for and shall reimburse the State for all expenses incurred in the acquisition of such lands, easements and right of way, except the cost or purchase price of the lands, easements and rights of way themselves.

The state shall be primarily liable for the purchase price of such lands as may be needed for such improvements but suits by property owners for any taking without compensation shall be brought against the county, and the state's Obion-Forked Deer River Basin Authority shall reimburse the county for any final judgment rendered against it. In addition, it shall be the duty of the counties to defend such suits, but the commissioner may defend such suits if the counties fail or refuse to defend them, and the counties shall reimburse the Obion-Forked Deer Basin Authority for all expenses, including attorney's fees, in defending such suits.

As amended by: Public Acts of 1974, Chapter 415

COMPILER'S NOTE: The 1974 amendment deleted references to the state department of highways, but the reference to the "commissioner" contained in the second paragraph of Section 2 remains, probably in error.

SECTION 3. That drainage and levee districts which presently own any property interests or rights of way required for such improvements are hereby authorized, empowered and directed to transfer and convey such property interests or rights of way to the State of Tennessee for the purposes of this Chapter upon the request of the Obion-Forked Deer Basin Authority.

As amended by: Public Acts of 1974, Chapter 415

SECTION 4. That the State of Tennessee through its Obion-Forked Deer Basin Authority be and it is hereby authorized, empowered and directed to maintain all such works upon completion, in which maintenance the Obion-Forked Deer Basin Authority shall use prison labor wherever possible. The Commissioner of the Department of Corrections shall make available prison labor for such purposes and shall furnish such guards and transportation as may be necessary in connection with such maintenance work.

As amended by: Public Acts of 1974, Chapter 415

SECTION 5. That the Obion-Forked Deer Basin Authority and the counties affected be and they are hereby authorized to expend their funds for the acquisition of the necessary rights of way for such channel improvement and to properly maintain the completed improvements.

As amended by: Public Acts of 1974, Chapter 415

SECTION 6. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 11, 1959.

Administration - Historical Notes

County Clerk

The following acts once affected the office of county clerk in Gibson County. They are included herein for historical purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 146, made women over the age of 21 eligible to hold the offices of deputy register, deputy county court clerk, deputy circuit court clerk, and deputy clerk and master in Gibson County.
2. Private Acts of 1923, Chapter 319, set the salary of the County Court Clerk at all fees, commissions and other revenues collected by the office. This act was repealed by Private Acts of 1925, Chapter 416.
3. Private Acts of 1933, Chapter 776, set the salary of the County Court Clerk at \$3,000 per annum.

County Legislative Body

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

1. Public Acts of 1823, Chapter 41, provided that the county court of Henderson County would meet on the first Mondays in January, April, July and October.
2. Private Acts of 1824, Chapter 102, set the dates for holding county court on the first Mondays in January, April, July and October.
3. Private Acts of 1825, Chapter 318, set the dates for holding county court on the first Mondays in March, June, September and December.
4. Private Acts of 1829, Chapter 20, declared that the Quarterly Courts of the counties of Gibson, Henderson, Carroll, Dyer, Knox, Anderson and Obion, on the first day of the first term in the year, could select three of their number to hold the county courts for the remainder of that year. These Justices were to be paid \$1.50 a day for each day spent holding this Quorum Court, and the county court was given the power to levy a tax of \$1 on each suit filed, if necessary.
5. Public Acts of 1832, Chapter 21, set the dates for holding county court on the third Mondays in March, June and September.
6. There were three private acts setting the compensation of justices of the peace (now county commissioners), which is now set by T.C.A. § 5-5-107. The first of these was Private Acts of 1919, Chapter 115, which set the per diem at \$2.50 per day, plus 5¢ per mile. Private Acts of 1957, Chapter 76, raised the per diem to \$7.50 and the mileage allowance to 10¢ per mile. The per diem was increased to \$15 by Private Acts of 1965, Chapter 31.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Gibson County. They are included herein for historical purposes only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1905, Chapter 432, created the office of County Judge. The County Judge was given all the powers and authority formerly exercised by the Chairman of the County Court, as well as certain powers, jurisdiction and authority conferred upon Circuit Judges and Chancellors. The salary was \$1,000 annually.
2. The office of County Judge was temporarily abolished when Acts of 1905, Chapter 432, was repealed by Private Acts of 1913, Chapter 258. Private Acts of 1915, Chapter 383, purported to amend the then-repealed 1905 act by removing the qualification that the Gibson County Judge be a licensed attorney. Private Acts of 1917, Chapter 412, repealed Private Acts of 1913, Chapter 258, and revived Acts of 1905, Chapter 432, thereby re-creating the office of Gibson County Judge.
3. Private Acts of 1919, Chapter 584, resolved confusion as to qualifications for the office of County Judge by setting the qualifications without any requirement that the candidate be a licensed attorney. This act repealed all conflicting portions of the 1905 act.
4. Private Acts of 1935 (Ex. Sess.), Chapter 34, changed the manner of filling vacancies in the office of County Judge.
5. Private Acts of 1941, Chapter 203, gave the Gibson County Judge a number of additional judicial powers concurrent with those of the Chancery and Circuit Courts, including divorce and criminal jurisdiction. In Private Acts of 1965, Chapter 231, an attempt was made to repeal this act but the Quarterly County Court failed to ratify the act. These powers were removed from the office of County Judge when this act was repealed by Private Acts of 1967-68, Chapter 374.
6. Private Acts of 1949, Chapter 770, set the salary of the County Judge at \$5,000 annually.
7. Private Acts of 1961, Chapter 380, set the salary of the County Judge at \$7,500 annually.
8. Private Acts of 1965, Chapter 232, attempted to amend Acts of 1905, Chapter 432, by removing all the judicial functions from the office of County Judge, but this act failed to gain local approval.

County Register

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

1. Private Acts of 1919, Chapter 146, made women over the age of 21 eligible to hold the office of deputy register, deputy county court clerk, deputy circuit court clerk, and deputy clerk and master in Gibson County.
2. Private Acts of 1923, Chapter 319, set the compensation of Gibson County Register at all fees, commissions and other amounts received by the office. This act was repealed by Private Acts of 1925, Chapter 416.
3. Private Acts of 1933, Chapter 775, set the compensation of County Register at no more than \$3,000 per year, payable only out of the fees collected by the office.

County Trustee

The following acts once affected the office of county trustee in Gibson County, but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1923, Chapter 319, set the compensation of Gibson County Trustee at all fees, commissions and other amounts received by the office. This act was repealed by Private Acts of 1925, Chapter 416.
2. Private Acts of 1933, Chapter 774, set the compensation of County Trustee at no more than \$3,000 per year, payable only out of the fees collected by the office.

Obion and Forked Deer River - Flood Control and Drainage Improvements

The following acts, which were not codified, once affected flood control and drainage improvements in the Obion and Forked Deer River basin, and are included herein for historical purposes.

1. Public Acts of 1972, Chapter 807, added a new section to Public Acts of 1959, Chapter 129, providing the department of agriculture with concurrent authority and responsibility for maintenance of completed channel improvements for the Obion and Forked Deer Rivers. This act

was repealed twice, first by Public Acts of 1973, Chapter 38, and again when the 1973 act was repealed by Public Acts of 1974, Chapter 415.

2. Public Acts of 1973, Chapter 38, amended Public Acts of 1959, Chapter 129, and Public Acts of 1963, Chapter 149, to transfer the authority and responsibility for the flood control and drainage improvements for the Obion and Forked Deer Rivers from the department of highways and public works to the department of agriculture. This act was repealed by Public Acts of 1974, Chapter 415.

General Reference

The following private or local acts constitute part of the administrative and political history of Gibson County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Public Acts of 1823, Chapter 11, created the 16th Solicitorial District, to be composed of the counties of Obion, Gibson, Weakley and Dyer.
2. Private Acts of 1823, Chapter 111, established Gibson County.
3. Private Acts of 1824, Chapter 53, required the surveyor-general of the 13th District to move his office to the place of holding court in Gibson County.
4. Private Acts of 1824, Chapter 128, authorized the County Court to levy a tax of not more than 12½¢ per 100 acres, for five years, to improve navigable streams in the Western District, including Gibson County.
5. Public Acts of 1832, Chapter 14, authorized the County Court of Gibson County to appoint a Board of Commissioners of Internal Improvement.
6. Public Acts of 1835-36, Chapter 48, directed the county court in each county to appoint a surveyor and an entry taker for the county, and directed the present surveyor for the 13th district to deliver all existing records to the entry taker in Gibson County.
7. Acts of 1853-54, Chapter 180, authorized Gibson County to take stock in railroads and issue bonds.
8. Acts of 1855-56, Chapter 140, authorized the Gibson County Court to subscribe to stock in the Memphis and Ohio Railway Company.
9. Acts of 1855-56, Chapter 182, created the Trenton Building & Loan Association, "to enable the working men of Trenton to become their own landlords."
10. Acts of 1855-56, Chapter 251, authorized the Gibson County Court to sell the State's interest in the Forked Deer Turnpike Company and turn over the proceeds from that sale to the State Treasury.
11. Private Acts of 1859-60, Chapter 97, authorized the Entry Taker to give certified copies of land grants in the 13th District certified by the North Carolina Secretary of State to be read as prima facie evidence in state courts.
12. Private Acts of 1869-70, Chapter 57, created the "Gibson County Agricultural, Mechanical and Blooded Stock Association," a body corporate and politic to have succession for ninety-nine years, for the encouragement of agriculture and the mechanical arts and the growth of blooded stock.
13. Public Acts of 1871, Chapter 53, authorized the Gibson County Court to appoint a notary public in the 13th Civil District, in the new town of Milan.
14. Public Acts of 1875, Chapter 35, allowed an additional notary public for the 14th Civil District of Gibson County. This Act was repealed by Private Acts of 1978, Chapter 171.
15. Private Acts of 1933, Chapter 61, removed the disabilities of infancy and minority from Richard D. Holmes of Trenton.
16. Private Acts of 1935, Chapter 51, removed the disabilities of infancy from William Harwood Pounds.
17. Private Acts of 1935, Chapter 278, removed the disabilities of infancy from Eva Geraldine Norris of Memphis, to enable her to make settlement with the Gibson County Clerk and Master.
18. Private Acts of 1935, Chapter 283, removed the disabilities of infancy from Mrs. Pearl Oliver.
19. Private Acts of 1935, Chapter 284, removed the disabilities of infancy from Adron Hicks Wesson.
20. Private Acts of 1935, Chapter 629, removed the disabilities of infancy from James Reagor.
21. Private Acts of 1937, Chapter 75, removed the disabilities of infancy from R. G. Poyner.

Chapter II - Animals and Fish

Animals and Fish - Historical Notes

The following is a listing of acts that at one time affected, but no longer appear to have any effect on, hunting, fishing or animal control in Gibson County. They are included herein for reference purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Public Acts of 1893, Chapter 15, made it unlawful to kill, trap or capture quail or partridges in Gibson County, except from November 1st to March 1st of each year, and unlawful to net quail or partridges at any time of the year.
2. Public Acts of 1893, Chapter 43, prohibited the use of fish traps or fish dams across streams in the counties of Carroll, Gibson, Obion, Weakley and Montgomery.
3. Private Acts of 1897, Chapter 181, made it a misdemeanor to hunt or fish on the enclosed lands of another without the written permission of the landowner or his agent.
4. Private Acts of 1897, Chapter 240, made it unlawful to catch fish in Gibson County from April 1st to June 1st of each year, and prohibited fishing by poison, dynamite or wing net.
5. Acts of 1909, Chapter 230, was a stock law enacted to prevent horses, mules, cattle, sheep, swine, goats, geese and ducks from running at large in Gibson County. This law gave any persons damaged by wandering livestock a lien on the livestock as well as the right to pen up the livestock to insure the payment of damages.
6. Private Acts of 1915, Chapter 540, prohibited the killing, trapping, catching, or taking in any manner of quail or partridges for a two-year period in Gibson County, beginning January 1, 1915.
7. Private Acts of 1915, Chapter 614, made it unlawful for any person to take fish from the various streams and lakes in Gibson County, by "grabbling" or by hand.
8. Private Acts of 1921, Chapter 15, set the open season for quail and partridges from the last Thursday in November until January 31st of each year.
9. Private Acts of 1921, Chapter 813, exempted Gibson County from the provisions of the general law regulating the possession and ownership of dogs.
10. Private Acts of 1931, Chapter 66, set a bounty of \$1.00 on hawks, to be paid upon presentation by a hunter to the Gibson County Clerk of a hawk's head and an affidavit of the hunter that he killed it within Gibson County. This act was repealed by Private Acts of 1933, Chapter 12.
11. Private Acts of 1933, Chapter 160, made it lawful to fish without a license with a hand pole, hook and line for home consumption.

Chapter III - Bond Issues

Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Gibson County is included below for reference purposes, although these acts are no longer current. Also referenced below is an act which repeals prior law without providing new substantive provisions.

Buildings - Memorials

1. Public Acts of 1899, Chapter 266, authorized the issuance of time warrants in the maximum amount of \$35,000 bearing interest not to exceed 6% per annum with a maturity date within five years, for the construction of a new courthouse at Trenton.

Debts

1. Private Acts of 1927, Chapter 120, authorized the issuance of coupon bonds in the maximum amount of \$400,000 bearing interest at a rate not to exceed 6% per annum with a maturity date within 30 years, for the payment of outstanding indebtedness.
2. Private Acts of 1931 (2nd Ex. Sess.), Chapter 99, authorized the issuance of coupon bonds in the maximum amount of \$250,000 bearing interest not to exceed 6% per annum with a maturity date within 30 years, for the payment of outstanding indebtedness for the school system.
3. Private Acts of 1935, Chapter 518, authorized the issuance of coupon bonds in the maximum amount of \$400,000 bearing interest not to exceed 5½% per annum and a maturity date within

20 years, for the payment of outstanding indebtedness prior to September 1, 1935. This act was amended by Private Acts of 1937, Chapter 250, to provide that indebtedness prior to February 1, 1937 could be paid with the proceeds from the bonds.

Roads

1. Acts of 1907, Chapter 249, authorized the issuance of serial coupon bonds in the maximum amount of \$500,000 bearing interest not to exceed 5% per annum with a maturity date within forty years, to be used for the improvement of roads in Gibson County.
2. Private Acts of 1919, Chapter 785, authorized the issuance of coupon bonds in the maximum amount of \$200,000 bearing interest not to exceed 5% per annum with a maturity date within 40 years, to be used for building iron, steel or concrete bridges and culverts.
3. Private Acts of 1921, Chapter 4, authorized the issuance of coupon bonds in the aggregate amount of \$150,000 bearing interest at 6% per annum with a maturity date of July 1, 1936, to pay off warrants issued for bridge and road purposes.
4. Private Acts of 1927, Chapter 540, authorized the issuance of coupon bonds in the amount of \$1,000,000 bearing interest not to exceed 5% per annum and a maturity date determined by the quarterly county court, to be used for building and improving the county road system.
5. Private Acts of 1929 (Ex. Sess.), Chapter 79, authorized the issuance of coupon bonds in the amount of \$500,000 bearing interest not to exceed 5% per annum with a maturity date determined by the quarterly county court, for building highways and public roads in Gibson County.

Schools

1. Acts of 1905, Chapter 130, authorized the issuance of coupon bonds by the town of Humboldt in the maximum amount of \$12,000 bearing interest not to exceed 6% per annum with a maturity date determined by the Board of Mayor and Aldermen, for the purpose of erecting a new school building for white children, repairing the existing school buildings, and to refurnish the present school furniture.
2. Private Acts of 1920 (Ex. Sess.), Chapter 47, authorized the issuance of coupon bonds by the Lonoke School District No. 33 in the amount of \$16,000 bearing interest at 6% per annum with a maturity date within 20 years, to erect and furnish a public school building in the district. This act was amended by Private Acts of 1921, Chapter 845, to reduce the amount of the bond issue to \$12,000.
3. Private Acts of 1920 (Ex. Sess.), Chapter 75, authorized the issuance of coupon bonds by the Brazil Special School District in the amount of \$20,000, bearing interest at the rate of 6% per annum with a maturity date within 20 years, to be used for school buildings in the district.
4. Private Acts of 1921, Chapter 479, directed the election commissioners of Gibson County to hold an election to determine the will of the voters of the Neboville Special School District on the question of levying a special tax for issuing bonds.
5. Private Acts of 1921, Chapter 646, authorized the issuance of coupon bonds by the Yorkville Special School District in the amount of \$7,500 bearing interest at 6% per annum with a maturity date of April, 1941, to erect, construct, maintain, equip and operate schools within the district.
6. Private Acts of 1931, Chapter 490, authorized the issuance of coupon bonds by the Yorkville Special School District in the amount of \$2,000 bearing interest not to exceed 6% and a maturity date of March 1, 1938, to be used to pay the indebtedness of the school district and to build a gymnasium.
7. Private Acts of 1931 (2nd Ex. Sess.), Chapter 66, validated the issuance of school notes in the amount of \$106,800 at 6% interest issued by the quarterly county court to pay outstanding school warrants for the operation of Gibson County schools. Private Acts of 1933, Chapter 120, provided for the renewal and extension of these notes, created a fund to pay the notes from delinquent taxes, and authorized the quarterly county court to levy taxes to pay the principal and interest on the notes as they became due.
8. Private Acts of 1947, Chapter 687, authorized the issuance of coupon bonds by the Yorkville Special School District in the maximum amount of \$75,000 bearing interest not to exceed 5% per annum with a maturity date set by the Board of Trustees, to acquire land and buildings and to erect, repair, remodel, furnish, equip and maintain school buildings. This Act was repealed by Private Acts of 1949, Chapter 331, but the 1949 act erroneously referred to "Chapter 627" rather than "687" of the 1947 acts.

Chapter IV - Boundaries

Creation of County

Private Acts of 1823 Chapter 111

SECTION 1. That a new county to be called and known by the name of Gibson county, in honor of, and to perpetuate the memory of Col. John H. Gibson, shall be, and is hereby, established west of Carroll county; beginning at the north-west corner of Carroll county, running thence west on the fourth sectional line, to a point four miles west of the second range line in the thirteenth district; thence north, to the fifth sectional line; thence west on said sectional line, to the fifth range line; thence south with the said range line, to a point two and a half miles south of the line separating the tenth and thirteenth districts; thence east parallel with said line, to a point directly south of the south-west corner of Carroll county; thence north, to the beginning.

SECTION 2. That for the due administration of justice, the courts of Pleas and Quarter-Sessions, and circuit courts, for said county, until otherwise provided for by law, shall be holden at the house of Luke Biggs, under the same regulations and restrictions, and shall have and exercise the same powers and jurisdiction, as are, or shall hereafter be, prescribed for the several counties in this state.

SECTION 3. That it shall be the duty of the sheriff of said county of Gibson, to hold an election at the place of holding courts in said county, on the third Thursday and Friday in January next, for the purpose of electing field officers for said county, which shall be conducted under the same rules and regulations as are prescribed by law in similar cases; and the militia of said county shall compose the regiment, and be attached to the brigade.

SECTION 4. That the election for company officers for said county, shall be held at such places as the commandant of the militia of said county may think proper to appoint, which said elections shall be held on the third Monday in February next, under the same rules, regulations and restrictions, as are prescribed in like cases.

SECTION 5. That the sheriff of said county, on the days prescribed by law, shall hold an election at the place of holding court, for the purpose of electing a Governor, members of the State Legislature, members to Congress, and electors to vote for a President and Vice-President of the United States, under the same rules and regulations as prescribed by law.

SECTION 6. That a majority of the justices of the peace for said county shall have power to adjourn said court to any other place within said county, that would suit their convenience.

Passed: October 21, 1823.

County Seat

Private Acts of 1824 Chapter 132

SECTION 1. That the commissioners in Haywood heretofore appointed to fix on a suitable site for the seat of justice in Haywood county, be, and the same commissioners hereby are, vested with full power and authority to determine on the size of the public square in said town, and the width of the streets of said town, any law heretofore passed to the contrary notwithstanding.

SECTION 2. That said town, when established, in pursuance of the acts of assembly heretofore passed, shall be called and known by the name of Brownsville, in honor of Major-General Jacob Brown, of the army of the United States.

SECTION 3. That the commissioners, when appointed by the county courts of Gibson, Dyer, Hardeman, Tipton, Fayette, Weakley, Obion, and McNairy counties, to lay off and sell the lots in the seats of justice for counties, shall have, exercise and posses, respectively, all the powers extended by this act to the commissioners appointed to fix the seat of justice for Haywood county.

SECTION 4. That the seat of justice for the county of Gibson shall be called by the name of Gibsonport; the seat of justice for the county of Dyer shall be called by the name of Dyersburgh; the seat of justice for the county of Weakley shall be called by the name of Dresden; the seat of justice for the county of Obion shall be called by the name of Troy; the seat of justice for the county of Hardeman shall be called by the name of Hatchee; the seat of justice for the county of McNairy shall be called by the name of Purdy; the seat of justice for the county of Fayette shall be called by the name of Sommerville, in honor and to perpetuate the memory of Robert M. Sommerville, who fell at the battle of the Horseshoe; the seat of

justice for the county of Tipton shall be called by the name of Covington.

SECTION 5. That if it should so happen, that the commissioners appointed to fix on sites for the permanent seats of justice in the Western district, cannot complete their business within the time prescribed by law, it shall be lawful for the commissioners to have the further time of one month to complete the same.

Passed: October 16, 1824.

Name Changed

Private Acts of 1825 Chapter 146

SECTION 1. That the name of the town of Gibsonport, in the county of Gibson be, and the same is, hereby changed, and the said town shall hereafter be known and called by the name of TRENTON.

Passed: November 2, 1825.

Change County Lines

Acts of 1837-38 Chapter 245

SECTION 1. That all that portion of Weakley county, which lies south of the South Fork of [sic] Obion river, shall hereafter be attached to and constitute a part of the county of Gibson, and that all that portion of Gibson county, which lies north of the South Fork of Obion river, shall be attached to and constitute a part of the county of Weakley, and that said river shall hereafter be the dividing line between said counties.

SECTION 2. That that part of Weakley county hereby attached to the county of Gibson, shall be attached to and compose a part of civil district number fourteen in said county of Gibson, and that portion of Gibson county attached to Weakley county, shall be attached to and compose a part of civil district number twelve in said county of Weakley.

As amended by: Acts of 1837-38, Chapter 265

SECTION 3. That the citizens living in that part of Weakley county hereby attached to Gibson county, and that the citizens living in that part of Gibson, which is by this act attached to Weakley county, shall vote with the county to which they are by this act attached, for electors of president and vice president, for members of congress, for governor of the state, for members of the general assembly of the state, and for all county officers both civil and military.

Passed: November 4, 1837.

Boundaries - Historical Notes

The following is a summary of acts which authorized boundary changes for Gibson County.

1. Public Acts of 1821, Chapter 32, authorized the establishment of several new counties west of the Tennessee River. Section 4 of that act set the boundary of an unnamed county to be relocated west of Carroll County, which county was established and named Gibson County by Private Acts of 1823, Chapter 111.
2. Public Acts of 1879, Chapter 137, changed the line between Gibson and Crockett counties to place in Crockett county all the lands of James Lewis, the Thermon Jones heirs, William Bell, Needham Moore, W. G. Jones, J. W. Porter, O. B. Clark, R. J. Williams, and D. H. Jones.
3. Public Acts of 1881, Chapter 108, changed the line between Gibson and Crockett counties to place in Crockett county all the lands of R. J. Williams lying south of the Middle Forked Deer River.
4. Public Acts of 1883, Chapter 121, changed the line between Gibson and Crockett counties to place in Crockett county all the lands of James Lewis.
5. Public Acts of 1887, Chapter 119, changed the line between Gibson and Madison counties to place in Madison county all the lands of J. M. Simpson and R. H. Simpson, and in Gibson county all the lands of J. G. Fulghum.
6. Public Acts of 1887, Chapter 128, changed the line between Gibson and Crockett counties to place in Crockett county all the lands of L. H. Harris, and in Gibson county all the lands of W. S. Moore and E. D. Harris.
7. Public Acts of 1889, Chapter 32, changed the line between Gibson and Dyer counties to place in

Dyer county all the lands of John Barham.

8. Public Acts of 1889, Chapter 50, changed the line between Gibson and Crockett counties to place in Gibson County the lands of J. H. Blackmoore lying on the west side of the Forked Deer River.
9. Private Acts of 1897, Chapter 137, changed the county line between Crockett and Gibson to include in Crockett County the entire tract known as the Bell farm.
10. Private Acts of 1921, Chapter 796, changed the line between Gibson and Madison and Gibson counties to place in Madison county the lands of R. H. Simpson.
11. Private Acts of 1921, Chapter 848, changed the line between Gibson and Madison counties to straighten the county line, by moving land owned by R. T. Lewis, six acres from Gibson to Madison county and six acres from Madison to Gibson county.
12. Private Acts of 1923, Chapter 230, changed the boundary between the 13th and 15th Civil Districts of Gibson County from the meanders of the old river to the drainage ditch.
13. Private Acts of 1931 (2nd Ex. Sess.), Chapter 67, changed the County line between the counties of Gibson and Dyer to include in Gibson County the entire A. L. McCorkle farm and Mrs. Allie Spence's farm.
14. Private Acts of 1937, Chapter 740, changed the line between Gibson and Madison counties to place in Gibson county the lands acquired by W. A. Birdsong from R. H. Simpson, being the same lands placed in Madison county by Private Acts of 1921, Chapter 796.

Chapter V - Court System

General Sessions Court

Public Acts of 1972 Chapter 664

SECTION 1. Title 16, Chapter 11, Tennessee Code Annotated is amended by adding to the chapter, the following section:

The Judges of the General Sessions Courts in counties having populations of not less than 47,750 according to the federal Census of 1970, or any subsequent federal census, shall be authorized, upon request, to sit by interchange with any other circuit, criminal or any other court of general jurisdiction in law and equity, provided such General Sessions judges have the qualifications required of the judges for whom they shall sit by interchange.

SECTION 2. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 30, 1972.

COMPILER'S NOTE: Since this public act applies only to Gibson County, it is not codified in Tennessee Code Annotated and therefore is reprinted in this compilation.

Private Acts of 1989 Chapter 28

SECTION 1. There is hereby created in Gibson County a general sessions court, court administered safety program. The court administered safety program shall include but not be limited to a traffic school.

SECTION 2. The judge of the general sessions court is authorized and empowered to oversee the administration of the court administered safety program. There shall be established such financial accounts as are necessary to administer this program. Complete books and records of all fees received and all expenditures made shall be kept monthly.

SECTION 3. There is established a fee of fifty dollars (\$50.00) for persons to enroll in the traffic school. Fees shall be collected by the Gibson County general sessions court administrator and paid directly to the county general fund within the time provided by statute. Such fees may be increased by resolution of the county commission.

SECTION 4. A budget for the court administered safety program shall be compiled annually and submitted to the budget and finance committee and the county commission for approval at the appropriate time.

SECTION 5. All funds collected pursuant to this act shall be allocated to the court administered safety program and may not be expended for purposes reasonably related to the effectuation of this act.

SECTION 6. If any provisions of this act or the application thereof to any person or circumstances is held

invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Gibson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body 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 law, the public welfare requiring it. For all other purposes, it shall become effective and retroactive to January 1, 1989.

Passed: March 22, 1989.

Private Acts of 1996 Chapter 198

SECTION 1. Effective September 1, 1998, the annual base salary and annual adjustments for the general sessions judge of Gibson County shall be that of a judge of a county of the first class as provided by Tennessee Code Annotated, Section 16-15-5003, notwithstanding the population classifications established in Section 16-15-5001.

SECTION 2. Effective immediately, the General Sessions Court Judge of Gibson County may interchange with the judge of the juvenile, circuit, chancery, or criminal court in such county if the General Sessions Court Judge possesses the same qualifications as such juvenile, circuit, chancery, or criminal court judge. This section shall only apply if the judge of the juvenile, circuit, chancery, or criminal court is unavailable to serve or upon request of the juvenile, circuit or criminal judge or chancellor.

As amended by: Private Acts of 1997, Chapter 9

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

Passed: April 24, 1996.

Juvenile Court

Private Acts of 1982 Chapter 307

SECTION 1. As used in this act, unless the context otherwise requires:

- (a) "Court" means the Juvenile Court of Gibson County.
- (b) "Judge" means the Judge of the Juvenile Court of Gibson County.
- (c) "Clerk" means an elected juvenile court clerk or deputy clerks of the juvenile court of Gibson County.

As amended by: Private Acts of 2000, Chapter 142

SECTION 2. Effective September 1, 1982, there is created in Gibson County a Juvenile Court to be known and styled as the Juvenile Court of Gibson County. Such court shall be a court of record and shall be presided over by a judge who shall have the qualifications and salary provided by this act.

SECTION 3. At the next Regular Election for county officials to be held in August, 1982, and every eight (8) years thereafter, a person licensed to practice law in this state and possessing all of the other qualifications required by law, shall be elected Judge of the Juvenile Court of Gibson County for a term of eight (8) years. The judge shall take and subscribe to the same oath of office as that prescribed by judge of circuit courts. In the event the office of judge shall become vacant by reason of death, resignation, retirement or other reason before the expiration of the term of office or before a successor is elected and qualified, such vacancy shall be filled as provided by law.

SECTION 4. (a) The juvenile court clerk of Gibson County shall be elected by the qualified voters of Gibson County as provided in this section.

(b) The juvenile court clerk elected pursuant to this section shall serve as the clerk of the Gibson County juvenile court and any of such clerk's deputies shall also be deputies for the juvenile court created by this act.

(c) The person elected to the office of juvenile court clerk of Gibson County shall be a citizen of Gibson

County and shall continuously reside within such county.

(d) At the August 2002 general election, and every four (4) years thereafter, the qualified voters of Gibson County shall elect a person to serve as the Gibson County juvenile court clerk for a term of four (4) years.

(e) The person elected to the office of juvenile court clerk of Gibson County shall take office on September 1, next following such person's election and shall hold office until such person's successor is elected and qualified. Any vacancy in the office of juvenile court clerk shall be filled by appointment of the Gibson County Commission as provided by law. The Gibson County Commission shall appoint a person to serve as juvenile court clerk from July 1, 2000 until the elected juvenile court clerk takes office on September 1, 2002. Such appointed clerk shall be required to have the same qualifications as are provided by this section for the elected clerk.

(f) The juvenile court clerk appointed and elected pursuant to the provisions of subsection (e) of this section shall receive compensation of thirty-two thousand dollars (\$32,000) each fiscal year. The juvenile court clerk shall also receive any annual raises given to county employees by the Gibson County Commission.

(g) All records of the juvenile court of Gibson County shall be transferred from the office and jurisdiction of the county clerk of Gibson County to that of the juvenile court clerk of Gibson County as soon as practicable following appointment of the juvenile court clerk as provided in subsection (e) of this section, but in no event later than thirty (30) days following such appointment.

As amended by: Private Acts of 2000, Chapter 142

SECTION 5. The Judge and Clerk of such Juvenile Court shall have all of the jurisdiction, powers, duties, and authority of other Juvenile Court Judges and Clerks as provided in Tennessee Code Annotated, Title 37 or any other general law.

SECTION 6. The Judge of the Gibson County Juvenile Court shall receive the same compensation as the most highly compensated general sessions court judge in the county.

As amended by: Private Acts of 2022, Chapter 38

SECTION 7. The position of Juvenile Judge shall be a full-time position, and such judge shall not be allowed to participate in the practice of law.

As amended by: Private Acts of 2022, Chapter 38

SECTION 8. The judge is authorized to make and promulgate rules and regulations for the administration and efficient operation of the court and to fix the times and places at which all persons within the jurisdiction of the court shall have their causes set for disposition.

SECTION 9. The judge shall, pursuant to the law and regulations of Gibson County, appoint such personnel as may be necessary to efficiently carry on the business of the court. All such appointments shall be limited by the total appropriations made for such personnel during each fiscal year.

SECTION 10. The Sheriff of Gibson County shall furnish the necessary deputies and special deputies to attend and dispense with the business of the court.

SECTION 11. The county legislative body shall provide the court with facilities adequate and sufficient to allow the court to perform its various duties as a Juvenile Court.

SECTION 12. All unfinished and pending matters in the court or courts exercising Juvenile Court jurisdiction prior to the date this act takes effect shall be transferred to the court created by this act at the close of business on the day preceding the day this act becomes effective. On such date, all official books, records and other documents pertaining to any matter within the jurisdiction of the Juvenile Court shall be delivered to such court.

SECTION 13. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 14. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Gibson County. Its approval or non-approval shall be proclaimed by the presiding officer of the Gibson County legislative body and certified by him to the Secretary of State.

SECTION 15. 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, Section 3 of this act shall be effective upon being approved as provided in Section 14, the public welfare requiring it. The remaining

sections shall become effective on September 1, 1982, if properly approved by the county legislative body of Gibson County.

Passed: April 6, 1982.

Humboldt Law Library

Private Acts of 1998 Chapter 175

SECTION 1. Chapter 211, of the Private Acts of 1965, as amended by Chapter 212 of the Private Acts of 1972, and any other acts amendatory thereto, is repealed.

SECTION 2. Any and all funds remaining in the Humboldt Law Library Fund shall become the property of Gibson County for the use and benefit of the residents of the districts of Gibson County composing the territorial jurisdiction of the Humboldt Law Court. The funds shall remain with the Humboldt Clerk and Master for expenses involved with moving the books of the library and for their repair and maintenance.

SECTION 3. Upon the termination of the Humboldt Law Library Commission, the Law Library, its contents, equipment and supplies, and all other property obtained by act of the commission, shall become the property of Gibson County for the use and benefit of the residents of districts of Gibson County composing the territorial jurisdiction of the Humboldt Law Court. The Humboldt Clerk and Master is authorized to find a suitable home for the volumes and the funds shall be placed in the repair and maintenance account for the Humboldt Law Court.

SECTION 4. Nothing in this Act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of Gibson County. Its approval or non-approval shall be proclaimed by the Presiding Officer of the Legislative Body of Gibson County and certified to the Secretary of State.

SECTION 7. 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 6.

Passed: May 1, 1998.

COMPILER'S NOTE: The Private Acts of 1998, Chapter 175, repealed the Private Acts of 1965, Chapter 211, as amended by Private Acts of 1972, Chapter 212, which created the Law Library Commission of Humboldt, Gibson County Tennessee.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Gibson County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 63, created a Board of Jury Commissioners for Henry County. This Act was amended by Private Acts of 1923, Chapter 254, to make the act applicable to Gibson and Haywood Counties. Private Acts of 1927, Chapter 541, repealed the 1923 act as to Gibson County.
2. Private Acts of 1955, Chapter 136, created a Board of Jury Commissioners in Gibson County, but the act failed to gain the required local approval. The act was repealed by Private Acts of 1981, Chapter 160.
3. Private Acts of 1981, Chapter 160, created a jury commission for the circuit court of Gibson County and a jury commission for the law and equity court of Gibson County.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Gibson County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification. Also referenced below are acts which repeal prior law without providing

new substantive provisions.

1. Public Acts of 1825, Chapter 32, directed the judges of the Supreme Court to hold a Court of Chancery at Paris twice a year, on the third Monday in April and October, for the counties of Perry, Henderson, Carroll, Henry, Weakley, Obion, Gibson and Dyer, and to appoint a clerk and master for said court.
2. Public Acts of 1827, Chapter 79, created two chancery divisions in Tennessee to be known as the Eastern and Western Divisions, and placed the chancery court for Gibson County, held at Paris, in the Western Division.
3. Public Acts of 1835-36, Chapter 4, created three chancery divisions in Tennessee to be known as the Eastern, Middle and Western Divisions. The Western Division was composed of Weakley, Obion, Dyer, Gibson, Carroll, Benton, Perry, Henderson, Madison, Haywood, Tipton, Lauderdale, Fayette, Shelby, Henry, Hardeman and McNairy Counties. The Chancery Court for Gibson and Dyer Counties was designated the Second District of the Western Division. Court was to be held at Trenton on the second Mondays in May and November. This act was amended by Public Acts of 1835-36, Chapter 20, to set the dates for holding court at Trenton on the first Mondays in January and July. The act was further amended by Acts of 1837-38, Chapter 14, to abolish the court at Trenton and to provide that Henry, Weakley, Obion, Dyer, Gibson, Carroll, Benton, Perry and Madison Counties would compose one chancery division for which court would be held at Huntington on the first Mondays in February and August.
4. Acts of 1837-38, Chapter 14, formed one chancery district of the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll, Benton, Perry, Henderson and Madison in the Western Division. Court was to be held at Huntington in Carroll County on the first Mondays in February and August. The chancery courts at Lexington, Paris, Jackson, Dresden, Trenton, Bolivar and Clarksville were abolished. 5.
5. Acts of 1839-40, Chapter 21, created a separate chancery division for Gibson and Dyer Counties to be held at Trenton on the second Mondays in March and September.
6. Acts of 1845-46, Chapter 40, set the dates for holding chancery court at Trenton on the fourth Mondays in January and July.
7. Acts of 1855-56, Chapter 158, changed the dates for holding chancery court at Trenton to the third Mondays in June and December.
8. Public Acts of 1857-58, Chapter 88, set the dates for holding chancery court at Trenton on the third Mondays in June and December.
9. Public Acts of 1865-66, Chapter 20, established the 9th Chancery District comprised of Henry, Weakley, Obion, Dyer, Gibson, Carroll and Benton Counties, with court in Gibson County to be held on the third Mondays in January and July.
10. Public Acts of 1866-67, Chapter 25, set the dates for holding chancery court at Trenton on the first Mondays in April and November.
11. Public Acts of 1866-67, Chapter 33, established the counties of Haywood, Madison, Dyer and Gibson as a separate chancery district.
12. Public Acts of 1868-69, Chapter 22, established the new Chancery Court of Humboldt, to be held on the first Mondays in June and December.
13. Public Acts of 1869-70, Chapter 70, transferred jurisdiction over the 13th and 18th Civil Districts of Gibson County to the special courts at Humboldt, and provided for the transfer of pending cases in the 13th Civil District from chancery court at Trenton to chancery court at Humboldt.
14. Public Acts of 1869-70 (2nd Sess.), Chapter 32, divided Tennessee into twelve chancery districts. The 11th District comprised Dyer, Obion, Lake, Weakley, Gibson, Etheridge, Carroll and Henry Counties.
15. Public Acts of 1869-70 (2nd Sess.), Chapter 47, set the dates for holding chancery court in Gibson County on the first Mondays in July and January.
16. Public Acts of 1870-71, Chapter 24, extended the jurisdiction of the chancery and circuit courts in Trenton to include the 13th and 20th civil districts of Gibson County, which had previously been subject to the special court at Humboldt.
17. Public Acts of 1870-71, Chapter 88, set the dates for holding chancery court at Trenton on the third Monday of May and the second Monday in December, and at Humboldt on the first Mondays in June and December.
18. Public Acts of 1871, Chapter 149, extended the jurisdiction of the Law Court and Chancery Court

- at Humboldt to include the 13th Civil District, repealing the conflicting portions of Public Acts of 1870-71, Chapter 24.
19. Public Acts of 1873, Chapter 28, changed the dates for holding chancery court in Trenton from the third Monday in May and the second Monday in December to the second Mondays in May and November.
 20. Public Acts of 1879, Chapter 73, set the dates for holding chancery court at Trenton on the first Mondays of May and November, and at Humboldt on the first Mondays of January and July.
 21. Acts of 1885 (Ex. Sess.), Chapter 20, provided for eleven chancery divisions. The 10th Chancery Division included Fayette, Tipton, Haywood, Lauderdale, Dyer, Obion, Weakley and Gibson Counties. The dates for holding court at Trenton were set on the first Mondays in May and November, and at Humboldt on the second Mondays in February and August.
 22. Public Acts of 1889, Chapter 23, set the dates for holding chancery court in Humboldt on the third Mondays in February and August, and in Trenton on the first Mondays in May and November.
 23. Public Acts of 1889, Chapter 90, transferred jurisdiction over the 13th Civil District of Gibson County from the chancery court in Humboldt to the chancery court in Trenton.
 24. Public Acts of 1895, Chapter 99, placed Gibson County in the 10th Chancery Division and set the dates for holding court in Trenton on the first Mondays in May and November, and in Humboldt on the first Wednesday after the first Monday in January and the fourth Monday in June.
 25. Public Acts of 1899, Chapter 427, created ten chancery divisions in Tennessee. The 9th Chancery Division was comprised of Dyer, Obion, Lake, Weakley, Gibson, Lauderdale, Fayette, Haywood, Tipton and Hardeman Counties. In Gibson County, chancery court was to meet in Trenton on the fourth Mondays in February and August, and in Humboldt on the third Mondays in March and September.
 26. Acts of 1903, Chapter 591, changed the time for holding chancery court in Trenton to the second Monday in February and the first Monday in September, and in Humboldt to the second Monday in March and the fourth Monday in September.
 27. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, set the dates for holding chancery court at Trenton on the second Monday in February and the first Monday in September, and at Humboldt on the second Monday in March and fourth Monday in September.
 28. Private Acts of 1941, Chapter 203, gave the County Court Judge concurrent jurisdiction with the chancery court with regard to divorce cases and certain guardianship matters. The legislature attempted to repeal the 1941 act in Private Acts of 1965, Chapter 231, but the 1965 act failed to gain local approval. The 1941 act was finally repealed by Private Acts of 1967-68, Chapter 374.
 29. Public Acts of 1967, Chapter 248, created a Law and Equity Court in Gibson County, which had concurrent jurisdiction with the Chancery Court of Gibson County and the Humboldt Chancery Court, and the Circuit Court and Law Court of Gibson County. The first term of the Law and Equity Court at Trenton was set to begin on the first Monday in August, 1967, and thereafter on the first Mondays in October, December, February, April, June and August. The first term of the Law and Equity Court at Humboldt was set to begin on the first Monday in July, 1967, and thereafter on the first Mondays in November, March and July.
 30. Public Acts of 1967, Chapter 320, set the dates for holding chancery court at Trenton on the second Monday in February and the first Monday in September, and at Humboldt on the second Monday in March and the fourth Monday in September.
 31. Private Acts of 1967-68, Chapter 374, transferred divorce jurisdiction from the County Court to the Law and Equity Court, and transferred all pending divorce cases before the County Courts at Trenton and Humboldt to the Law and Equity Court.
 32. Public Acts of 1968, Chapter 457, amended Public Acts of 1967, Chapter 248, to transfer jurisdiction over workers' compensation and divorce actions from General Sessions Court to the Law and Equity Court for Gibson County, and to provide that the court would be in session continuously at Trenton and Humboldt with terms to begin on the first Monday of each month at Trenton and on the third Monday of each month at Humboldt. The judge was authorized to hold chambers court for juvenile, probate and chancery matters, to hold special terms for law matters, to establish rule days and to promulgate rules of court.
 33. Public Acts of 1970, Chapter 492, amended Public Acts of 1967, Chapter 248, to grant the judge of the Law and Equity Court equal and coextensive power, along with the circuit court judge, to appoint the Jury Commission for Gibson County. Gibson County was instructed to give the Law and Equity Court Judge suitable office space and supplies, and if it did not, the judge was

authorized to purchase the same out of the fees of the court.

34. Public Acts of 1973, Chapter 356, amending T.C.A. § 16-2-309, removed Gibson and Dyer Counties from the 9th Chancery Division, and conferred chancery jurisdiction upon the Law and Equity Court for each such county.
35. Public Acts of 1984, Chapter 931, T.C.A. § 16-2-506(28)(A) provided that effective September 1, 1984, the Law and Equity Court in Gibson County became a chancery court for the 28th Judicial District and the Law and Equity Judge became a Chancellor.

Chancery Court - Clerk and Master

The reference list below contains acts which once applied to the clerk and master in Gibson County. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Public Acts of 1825, Chapter 32, directed the judges of the Supreme Court to appoint a Clerk and Master for the Chancery Court at Paris for the Counties of Perry, Henderson, Carroll, Henry, Weakley, Obion, Gibson and Dyer.
2. Acts of 1845-46, Chapter 63, directed the Clerk and Master of the Chancery Court at Trenton to appoint a deputy clerk to reside in Dyersburgh and to keep an office there.
3. Public Acts of 1868-69, Chapter 22, directed the chancellor of the newly-established Chancery Court of Humboldt to appoint a Clerk and Master for said court.
4. Private Acts of 1919, Chapter 146, made women over the age of 21 eligible to hold the offices of deputy register, deputy county court clerk, deputy circuit court clerk, and deputy clerk and master in Gibson County.
5. Private Acts of 1923, Chapter 319, set the salary of the Clerk and Master at all of the fees collected by the office. This act was repealed by Private Acts of 1925, Chapter 416.
6. Private Acts of 1925, Chapter 139, abolished the office of Clerk of the Law Court at Humboldt, and conferred upon the Clerk and Master of the Chancery Court at Humboldt all the powers and duties of the former Clerk of the Law Court at Humboldt. The Clerk and Master was to be paid \$600 per year for the performance of those duties.
7. Private Acts of 1931 (2nd Ex. Sess.), Chapter 38, provided that the Clerk and Master was to receive 7% of the amount collected by his office in receiving, collecting and paying over delinquent taxes.
8. Private Acts of 1933, Chapter 778, set the salary of the Clerk and Master at \$3,000 per year.

Circuit Court

The following acts were once applicable to the circuit court of Gibson County but now have no effect, having been repealed, superseded, or having failed to win local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Public Acts of 1823, Chapter 41, set the dates for holding circuit court in Gibson County on the fourth Mondays in May and November.
2. Private Acts of 1823, Chapter 111, provided that circuit court and the Court of Pleas and Quarter Sessions would be held at the house of Luke Biggs until otherwise provided by law.
3. Private Acts of 1824, Chapter 102, set the dates for holding circuit court in Gibson County on the first Mondays in May and November.
4. Private Acts of 1825, Chapter 318, set the dates for holding circuit court in Gibson County on the fourth Mondays in April and October.
5. Public Acts of 1826, Chapter 43, set the dates for holding circuit court in Gibson County on the fourth Mondays in April and October.
6. Public Acts of 1835-36, Chapter 5, established 11 judicial circuits in Tennessee, placed Gibson County in the 9th Judicial Circuit along with Henry, Weakley, Obion, Dyer, Carroll and Benton Counties, and provided that circuit court in Gibson County would be held on the first Mondays in March, July, and November.
7. Acts of 1849-50, Chapter 177, changed the time for holding circuit court in Gibson County to the third Mondays in March, July, and November.
8. Public Acts of 1857-58, Chapter 13, created the 15th Judicial Circuit comprising the Counties of Gibson, Obion, Dyer and Lauderdale, prescribed the manner of electing the circuit judge, and changed the dates for holding court in Gibson County to the third Mondays in March, July and November.

9. Public Acts of 1857-58, Chapter 21, set the dates for holding circuit court in Gibson County on the third Monday in March, the fourth Monday in July, and the third Monday in November.
10. Public Acts of 1857-58, Chapter 98, placed Gibson, Obion, Dyer and Lauderdale Counties in the 16th Judicial Circuit, and changed the dates for holding court in Gibson County to the third Monday in March, the fourth Monday in July, and the third Monday in November.
11. Public Acts of 1861-62, Chapter 49, set the dates for holding circuit court in Gibson County on the first Mondays in May and November.
12. Public Acts of 1867-68, Chapter 38, set the dates for holding circuit court in Gibson County at Trenton on the fourth Mondays in March, July and November.
13. Public Acts of 1868-69, Chapter 22, established a new court at Humboldt with general common law jurisdiction, original and appellate, over all cases arising at law, either civil or criminal, to be called the Law Court at Humboldt. This court was given all the powers conferred upon circuit courts of Tennessee. The dates for holding court were set on the second Mondays in April and August and the first Monday in December. Although the Law Court at Humboldt was not called "circuit court," the legislature often referred to it as the circuit court at Humboldt, and the only practical difference appears to be the name. The circuit court clerk at Trenton also served as the clerk of the Law Court at Humboldt, and the court's expenses were paid out of the same funds as other circuit courts. See Public Acts of 1868-69, Chapter 22.
14. Public Acts of 1869-70, Chapter 70, placed the Law Court at Humboldt in the 16th Judicial Circuit, set the dates for holding Law Court at Humboldt on the second Mondays in April, August and December, transferred jurisdiction over the 13th and 18th Civil Districts of Gibson County to the special courts at Humboldt, and provided for the transfer of pending cases in the 13th District from Circuit Court at Trenton to Law Court at Humboldt.
15. Public Acts of 1869-70 (2nd Sess.), Chapter 31, divided Tennessee into 15 judicial circuits, and placed the Counties of Gibson, Dyer, Haywood, Madison, and the special Court at Humboldt in the 13th Circuit.
16. Public Acts of 1869-70 (2nd Sess.), Chapter 46, set the dates for holding circuit court in Gibson County on the third Mondays in February, June and October.
17. Public Acts of 1870-71, Chapter 24, extended the jurisdiction of the Circuit Court in Trenton to include the 13th and 20th civil districts of Gibson County, which had previously been subject to the special court at Humboldt.
18. Public Acts of 1870-71, Chapter 67, set the dates for holding circuit court at Trenton on the third Mondays in April, August, and December, and at Humboldt on the fourth Mondays in February, June and October.
19. Public Acts of 1871, Chapter 145, set the dates for holding circuit court at Humboldt on the first Mondays in March, July and November.
20. Public Acts of 1871, Chapter 149, returned jurisdiction over the 13th civil district in Gibson County to the Law Court and Chancery Court at Humboldt.
21. Public Acts of 1873, Chapter 28, set the dates for holding circuit court at Trenton on the second Mondays in April, August and December, and at Humboldt on the third Mondays of February, June and October.
22. Public Acts of 1875, Chapter 137, set the dates for holding circuit court at Trenton on the first Mondays in April, August, and December, and at Humboldt on the third Mondays in March, July and November.
23. Public Acts of 1883, Chapter 49, set the dates for holding circuit court at Trenton on the first Tuesdays after the first Mondays in April, August and December.
24. Acts of 1885 (Ex. Sess.), Chapter 20, divided Tennessee into 14 judicial circuits. The act placed the Counties of Obion, Weakley, Henry, Carroll, Gibson, Crockett, Haywood and Benton in the 12th Judicial Circuit, and set the dates for holding circuit court at Trenton on the first Tuesday after the first Monday in April, August and December, and at Humboldt on the third Mondays in March, July and November.
25. Public Acts of 1887, Chapter 94, set the dates for holding circuit court at Humboldt on the third Mondays in March, July and November, and at Trenton on the first Tuesdays after the first Mondays in April, August and December.
26. Public Acts of 1889, Chapter 15, set the dates for holding circuit court at Humboldt on the second Mondays in March, July and November, and at Trenton on the fourth Mondays in March, July and

November.

27. Public Acts of 1889, Chapter 90, transferred jurisdiction over the 13th civil district in Gibson County from the Law Court of Humboldt to the Circuit Court at Trenton.
28. Public Acts of 1891, Chapter 38, created a new 18th Judicial Circuit, to be composed of the counties of Gibson, Carroll, Crockett and Haywood, and set the dates for holding circuit court at Trenton on the fourth Mondays in January, May and September, and at Humboldt on the first Mondays in March and July and the second Monday in November.
29. Public Acts of 1899, Chapter 409, set the dates for holding circuit court at Trenton on the first Mondays in March, July and December, and in Humboldt on the first Mondays in April, August and November.
30. Public Acts of 1899, Chapter 427, divided Tennessee into fourteen judicial circuits, placed Gibson County in the 13th Judicial Circuit, and set the dates for holding circuit court at Trenton on the first Mondays in April, August and December, and at Humboldt on the fourth Mondays in April, August and December.
31. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, set the dates for holding circuit court at Trenton on the first Mondays in April, August and December, and at Humboldt on the fourth Mondays in April, August and December.
32. Private Acts of 1941, Chapter 203, gave the County Court Judge concurrent jurisdiction with Circuit Court for certain criminal matters and divorce cases. The legislature attempted to repeal the 1941 act in Private Acts of 1965, Chapter 231, but the 1965 act failed to gain local approval. The 1941 act was finally repealed by Private Acts of 1967-68, Chapter 374.
33. Public Acts of 1965, Chapter 204, set the dates for holding circuit court at Trenton on the first Mondays in April, August and December, and at Humboldt on fourth Mondays in April, August and December.
34. Public Acts of 1967, Chapter 248, created a Law and Equity Court in Gibson County, which had concurrent jurisdiction with the Circuit Court and Law Court of Gibson County, and the Chancery Court of Gibson County and the Humboldt Chancery Court. The first term of the Law and Equity Court at Trenton was to begin on the first Monday in August, 1967, and thereafter on the first Mondays in October, December, February, April, June and August. The first term of the Law and Equity Court at Humboldt was to begin on the first Monday in July, 1967, and thereafter on the first Mondays in November, March and July.
35. Private Acts of 1967-68, Chapter 374, transferred divorce jurisdiction from the County Court to the Law and Equity Court, and transferred all pending divorce cases before the County Courts at Trenton and Humboldt to the Law and Equity Court.
36. Public Acts of 1968, Chapter 457, amended Public Acts of 1967, Chapter 248, to transfer jurisdiction over workers' compensation and divorce actions from General Sessions Court to the Law and Equity Court for Gibson County, and to provide that the court would be in session continuously at Trenton and Humboldt with terms to begin on the first Monday of each month at Trenton and on the third Monday of each month at Humboldt. The judge was authorized to hold chambers court for juvenile, probate and chancery matters, to hold special terms for law matters, to establish rule days and to promulgate rules of court.
37. Public Acts of 1970, Chapter 492, amended Public Acts of 1967, Chapter 248, to grant the judge of the Law and Equity Court equal and coextensive power with the circuit court judge to appoint the Jury Commission for Gibson County. Gibson County was instructed to give the Law and Equity Court Judge suitable office space and supplies, and if it did not the judge was authorized to purchase the same out of the fees of the court.
38. Public Acts of 1973, Chapter 356, amending T.C.A. § 16-2-309, removed Gibson and Dyer Counties from the 9th Chancery Division, and conferred chancery jurisdiction upon the Law and Equity Court for each such county.
39. Public Acts of 1977, Chapter 199, set the dates for holding circuit court at Trenton on the first Monday in January with recessed session beginning first Monday in March, on the first Monday in May with recessed session beginning first Monday in July, and on the first Monday in September with recessed session beginning first Monday in November; and at Humboldt, on the third Mondays in February, June and October.
40. Public Acts of 1984, Chapter 931, T.C.A. § 16-2-506(28)(A), provided that effective September 1, 1984, the Law and Equity Court in Gibson County became a chancery court for the 28th Judicial District and the Law and Equity Judge became a Chancellor.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Gibson County Circuit Court Clerk. They were repealed, superseded, or never received local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

41. Public Acts of 1868-69, Chapter 22, provided the Circuit Court Clerk would also serve as the Clerk of the new Law Court at Humboldt.
42. Acts of 1909, Chapter 378, set the compensation of the Clerk of the Law Court at Humboldt at the fees collected by the office, with a guarantee of \$600 per annum.
43. Private Acts of 1917, Chapter 680, set the salary of the Circuit Court Clerks in Gibson County at \$1,500 per annum, but the act specifically did not apply to the clerks of "any Circuit Court created by special statute" (i.e., the Law Court at Humboldt).
44. Private Acts of 1919, Chapter 146, made women eligible to hold the office of Deputy Circuit Court Clerk in Gibson County.
45. Private Acts of 1919, Chapter 539, set the salary of the Clerk of the Law Court of Humboldt at the fees of the office, with a guaranteed salary of \$900 per annum.
46. Private Acts of 1925, Chapter 139, abolished the office of Clerk of the Law Court at Humboldt, and conferred upon the Clerk and Master of the Chancery Court at Humboldt all of the powers and duties of the former Clerk of the Law Court at Humboldt. The Clerk and Master was to be paid \$600 per year for the performance of those duties.
47. Private Acts of 1929, Chapter 240, authorized the employment of clerical assistants by the Circuit Court Clerk, at a total maximum annual salary of \$600, to be paid once a year.
48. Private Acts of 1931, Chapter 258, amended the 1929 act to provide that clerical assistants would be paid January 1, May 1, and September 1 each year.
49. Private Acts of 1941, Chapter 203, provided that in all divorce and criminal actions, the Circuit Court Clerk at Trenton would also act as the County Court Clerk at Trenton, and the Clerk of the Law Court at Humboldt would also serve as the County Court Clerk in Humboldt.
50. Private Acts of 1943, Chapter 284, amended the 1929 act to increase the total annual salary for clerical assistants to \$1,200.
51. Private Acts of 1951, Chapter 38, amended the 1943 act to increase the total annual salary for clerical assistants to \$1,800.
52. Private Acts of 1955, Chapter 15, amended the 1929 act to increase the total annual salary for clerical assistants to \$2,400.
53. Private Acts of 1959, Chapter 82, amended the 1929 act to increase the total annual salary for clerical assistants to \$3,000.
54. Private Acts of 1965, Chapter 83, repealed Private Acts of 1929, Chapter 240, and all amendments thereto.
55. Private Acts of 1961, Chapter 358, authorized the Clerk of the Law Court at Humboldt to appoint a deputy clerk to be paid \$50 per month.

District Attorney General - Assistants and Criminal Investigators

The following acts once affecting Gibson County are no longer in effect but are listed here for historical purposes.

1. Acts of 1853-54, Chapter 32, prescribed the manner for electing the District Attorney General.
2. Public Acts of 1857-58, Chapter 13, prescribed the manner of electing the District Attorney General for the newly-created 15th Judicial District.
3. Public Acts of 1967, Chapter 181, created the office of Criminal Investigator for the District Attorney General for the 13th Judicial Circuit, to be appointed by the District Attorney General. The Criminal Investigator had the same authority and power as deputies of the County Sheriffs.
4. Public Acts of 1969, Chapter 167, created the office of Assistant District Attorney General for the 13th Judicial Circuit, to be appointed by the District Attorney General. The person appointed was required to be at least twenty-one (21) years of age and licensed to practice law in Tennessee.
5. Public Acts of 1972, Chapter 663, created an additional Assistant District Attorney General for the 13th Judicial Circuit, to be appointed by the District Attorney General.
6. Public Acts of 1977, Chapter 371, created a third full-time Assistant District Attorney General for the 13th Judicial Circuit, to be appointed by the District Attorney General.

General Sessions Court

The following act once affected the general sessions court of Gibson County, but is no longer in effect and is included herein for reference purposes.

1. Private Acts of 1959, Chapter 328, was an attempt to create a Court of General Sessions for Gibson County, to be held at Trenton and such other towns as the Quarterly County Court authorized, but the act failed to win local approval.

Secretarial Assistance

The following acts are no longer in effect but are listed here for historical purposes.

1. Public Acts of 1943, Chapter 125, provided for a stenographer for the Chancellor of the 9th Chancery Division and set compensation at \$720 per year. Public Acts of 1953, Chapter 264, amended the 1943 act to raise the compensation to \$1,500 per year.
2. Public Acts of 1951, Chapter 36, created the office of stenographer to the judge of the 13th Judicial Circuit and set compensation at \$900 per year. Public Acts of 1963, Chapter 308, amended the 1951 act to raise the compensation to \$1,800 per year.
3. Public Acts of 1957, Chapter 150, set the compensation of the stenographer to the Chancellor of the 9th Chancery Division at \$2,400 per year. Private Acts of 1963, Chapter 309, amended the 1957 act to raise the compensation to \$3,600.

Chapter VI - Education/Schools

Special School Districts

Bradford Special School District

Private Acts of 1917 Chapter 153

SECTION 1. That a special school district, be and the same is hereby created and established, which shall be included within the following boundaries: Bounded on the North by the Weakley-Gibson County Line; Bounded on the East by the Carroll-Gibson County Line from the Weakley County Line south to the point where the Flippin School House Road intersects the said county line; runs thence Northwesterly to the Poplar Springs Road; runs thence Southwesterly with the Poplar Springs Road to the Horrace Burress Road; runs thence Westerly with Horrace Burress Road to the old Meridian Line Road also known as Old Bullington Road; runs thence Northerly with Old Meridian Line Road, also known as Old Bullington Road to Idlewild Holly Leaf Road; runs thence Westerly with Idlewild Holly Leaf Road to gravel road that runs from Idlewild Holly Leaf Road to Gann Road; runs thence Southwesterly with said gravel road to the Gann Road; runs thence Southerly with Gann Road to Herbert Neal Road; thence Westerly with Herbert Neal Road to Willie T. Crocker Road; thence Westerly with Willie T. Crocker Road to Walnut Grove Road; thence South with Walnut Grove Road to Robert Crocker Road; thence West with Robert Crocker Road to Harmond Road; thence West with Harmond Road to U.S. Highway 45 thence southerly down Highway 45 to center of Rutherford Fork of Obion River at the Highway Bridge; thence Westerly with center of said river to bridge at Jack Connell Road; thence South with Jack Connell Road to Bobby Burress Road; thence South with Bobby Burress Road to Herdlow Road; thence Southwesterly with the Herdlow Road to Trenton-Concord-Cades Road; runs thence Westerly with Trenton-Concord-Cades Road to Esquire White Road; thence Northwest along Esquire White Road to Vaughns Grove Road; thence East and North along Vaughns Grove Road to the Laneview Concord Road; thence Northwest along the Laneview-Concord Road to the Clarence Campbell Road; thence North along the Clarence Campbell Road to the Laneview-Concord Road; thence West along the Laneview-Concord Road to the intersection of that road and State Highway 54 and Neal Kinsey Roads; thence Northwest then North along Neal Kinsey Road to Poplar Grove Road; thence West along Poplar Grove Road approximately six-tenths of a mile to a road connecting Poplar Grove Road and the Stringtown Road Loop; thence North along such road to the Stringtown Road; thence North, East and South around the Stringtown Road Loop; thence East along Stringtown Road to Old State Route 5 Road (FAS 8080), to the Jim E. Taylor Road; thence West along Jim E. Taylor Road to Keely Mill Road (FAS 8179); thence North along Keely Mill Road (FAS 8179) to State Highway 105 at Good Luck; thence East along State Route 105 to the point where the 14th Civil District line in Gibson County, Tennessee intersects State Route 105; thence North, West and North with the 14th Civil District line [sic] to the Weakley County line.

As amended by:

Private Acts of 1947, Chapter 707

Private Acts of 1974, Chapter 371

Private Acts of 1975, Chapter 176

Private Acts of 1975, Chapter 167

Private Acts of 1981, Chapter 124

SECTION 2. That the governing body of said Bradford Special School District shall be a Board of Trustees, known as: "Board of Trustees of Bradford Special School District", which shall be composed of six members, who shall hold office for six years except as hereinafter provided, and until their successors are elected and qualified. A person to be eligible for membership on said Board of Trustees, shall be at least, thirty years old; a freeholder, or householder within the bounds of the district; a resident and qualified voter in the district; a person of good moral character; and must have at least, a common school education; and must have resided in the district, at least one year before the day of election or appointment.

The Board of Trustees shall be elected by the qualified voters of the district at the election in which the Sheriff and other county officers of Gibson County, Tennessee are elected; and any person qualified to vote for county officers in such election shall be qualified to vote for members of said Board of Trustees. The first election for members of said Board of Trustees shall be the first Thursday in August, 1918, at which election, two members shall be elected; who shall hold office for two years from the Monday next following said election, and until their successors are elected and qualified; two members shall be elected who shall hold office for four years from the Monday next following said election and until their successors are elected and qualified; and two members shall be elected, who shall hold office for six years from the Monday next following said election, and until their successors are elected and qualified; the Monday next following an election, being the day hereby fixed for the term of office, of members of the Board of Trustees to begin at each biennial election thereafter, two of said Board shall be elected.

E. A. Hays, H. L. Meadows, J. N. Alexander, C. R. Davidson, W. C. Nevil and Irby C. Boone, are hereby appointed and constituted the first Board of Trustees of Bradford Special School District and they shall hold office until their successors are elected and qualified as herein provided, they being eligible under the provisions of this section.

Said Board of Trustees herein appointed, and their successors in office, constituting the Board of Trustees of Bradford Special School District, shall be and they are hereby made, a body politic and corporate, and in said name can sue and be sued; plead and be impleaded; and have continual succession for the purposes designated and provided in this Act. A majority of the members shall constitute a quorum for the transaction of all business. If a vacancy occurs in the Board, the remaining members shall appoint some one to fill the unexpired term, the person appointed to have the qualifications prescribed in this Act, and the members of the Board, as such, shall not receive compensation but as officers of the Board, shall have the compensation hereinafter provided.

SECTION 3. The officers of the Board of Trustees shall be a President, Clerk, and Treasurer. They shall be elected by the Board of Trustees, from their membership, at the first regular meeting after each biennial election in such way as the Board shall determine; and shall hold office for two years, and until their successors are elected and qualified.

It shall be the duty of the President to preside over all meetings of the Board of Trustees; to call special meetings, when he deems it expedient, or when called upon to do so by three members of the Board and give notice of such meetings, to countersign all orders or warrants drawn by the Clerk upon the Trustee of Gibson County, Tennessee, or the Treasurer of the Board of Trustees and do such other reasonable things as the Board of Trustees shall require.

It shall be the duty of the Clerk of the Board of Trustees to keep a correct record of all the meetings, and business transactions of the Board of Trustees; in a suitable minute book; to attend to the correspondence of the Board; to draw and sign all warrants, or orders drawn upon the Trustee of Gibson County, or the Treasurer of the Board of Trustees for all payments ordered by the Board of Trustees, and to keep a true record of the same in a suitable book, showing in whose favor drawn, for what purpose, and the date and amount to take, or cause to be taken, during the month of July in each year, a true enumeration of the scholastic population of the district, and report the same to the Superintendent of Schools of Gibson County, and the Trustee of Gibson County, by the first day of August in each year, using the forms prescribed and used by the State school authorities; to make a report, annually, to the Board of Trustees, at the last meeting of the Board in July of each year, showing in detail, the disbursements of the year, and record the same on the minutes when approved by the Board; to turn over all books and papers of his office to his successor; and so such other reasonable things as the Board of Trustees shall require; as compensation, the Clerk shall annually, receive two cents per capita for the scholastic population enumerated that year which shall be paid, as other debts against the district.

It shall be the duty of the Treasurer of the Board of Trustees to collect all money belonging to the district except such as goes into the hands of the Trustee of Gibson County under the general school law, and

under this Act, and safely keep and properly disburse the same; to keep an accurate account of all receipts and disbursements, in a suitable book; to pay out money only on an order or warrant signed by the Clerk of the Board of Trustees, and countersigned by the President of the same; to preserve all warrants and orders paid until his annual report, hereinafter provided for, is passed upon and approved by the Board of Trustees; to make an annual report to the Board of Trustees, at the last meeting of the Board, in July of each year, showing the receipts and disbursements and turn the same over to the Clerk to be recorded on the minutes, when approved by the Board of Trustees; to turn over to his successor in office all books and papers of his office and all money in his hands; to make a bond to fully cover the funds that come into his hands, the amount to be fixed by the Board of Trustees; said bond to be payable to the State of Tennessee, for the use and benefit of Bradford Special School District, conditioned for the faithful performance of all his duties, the same to be approved by the Board of Trustees, and filed with the Clerk of the Board as custodian, and spread upon the minutes of the Board. As compensation, the Treasurer shall receive one per cent upon the funds received and disbursed by him, but not on the funds turned over to his successor, the same to be paid as other debts, against the district.

SECTION 4. That immediately after this Act takes effect, the persons named in this Act, to constitute the first Board of Trustees shall meet and organize by electing a President, a Clerk, and a Treasurer, who shall hold office until the Monday next following the first Thursday in April, 1918, and until their successors are elected and qualified; and thereafter, the Board of Trustees shall elect these officers at a meeting held on the Monday next following the election. The Clerk elected shall immediately take or cause to be taken the enumeration of scholastic population and file the same with the County Superintendent of Schools and the Trustee of the county.

SECTION 5. That the other powers and duties of the Board of Trustees of Bradford Special School District shall be as follows:

1. To make, from time to time, such by-laws, rules and regulations, consistent with the constitution and the laws of the State, as they deem proper and expedient, for carrying into effect the objects and purposes for which the Board was created.
2. To establish and maintain a high school at Bradford in said district, in which shall be taught all the branches now prescribed to be taught in the elementary and high schools of the State or that may hereafter be prescribed for such schools; and in addition, if they deem it best, provide to have taught a commercial or business course; and a higher course to prepare pupils for entering a university.
3. To purchase and hold such real estate as is needed or proper for all school purposes; to erect school buildings and enlarge school buildings when necessary; to purchase and hold all other needed school property; to keep the school buildings and grounds in sanitary condition, and ornament or beautify same; and do such other things touching the buildings, grounds and other property, as, in their judgment, will best serve and promote the school district; to receive and hold all property or money donated in any way for school purposes. They shall take the title of all real estate purchased or given in the name of "Board of Trustees of Bradford Special School District", and they shall hold in trust all property real and personal, within the bounds of the district. The County Board of Education shall have power and are hereby authorized to invest the money derived from the Special School Tax, levied and collected in said District, in building and equipping a gymnasium in the city of Bradford, Tennessee, and paying off any indebtedness that may [sic] or is outstanding against the Bradford School by issuing warrants against said Bradford Special School District Fund, said warrants to bear not more than 6% interest until retired.

"The Special School Tax" money collected in said district shall be used for no other purpose other than building and equipping a gymnasium and paying the now existing indebtedness against said school, until all shall have been paid for, then it shall revert back to the regular school fund of said school as provided in Chapter 153, Private Acts of Tennessee, for the year 1917.

As amended by: Private Acts of 1929 (Ex. Sess.), Chapter 78.

4. To dispose of any or all property in the district, either by public or private sale, when, in their judgment, the best interest of the district will be promoted, and apply the proceeds in such way as will best serve the interest of the district. In the sale of real estate the deed conveying the same shall be signed: "Board of Trustees, Bradford Special School District," by either the President or Clerk of the Board, and for same shall be acknowledged in the same way, as provided by law for the acknowledgement of deeds by private corporations; but no property shall be sold until a motion or resolution directing the sale has been passed by the Board of Trustees and spread upon the minutes.
5. To employ a competent principal, and as many competent teachers for the various grades and departments of the school as needed; fix the salaries of the same; and assign them to the grades and departments; and for lawful reasons discharge them; but they shall not employ teachers for said positions and grades, who have not the acquirements and certificates, required by the school law of the State for like positions and grades.

6. To determine and fix the terms of the school and the length of the terms, and the dates and times they shall begin and close, and to suspend and dismiss pupils, when the best interest of the school requires that it be done.
7. To admit, by contract, persons, as pupils in the school, who are over the school age, or non-residents of the district, or the county or State; fix the rate of tuition to be paid by the same; and make proper regulations governing the same. All such tuition shall be paid to the Treasurer of the Board of Trustees; and shall be used for the benefit of the district, and paid out in the same way as other funds under the control of the Board of Trustees.
8. To use the school funds coming into their hands or under their control, from whatever source, in such manner as will, in their judgment best promote the interest of the said special school district.
9. To cause the enumeration of the scholastic population to be taken as provided in this Act, in the event the Clerk should fail to take or cause the same to be taken, and compensate the person taking the same by using the compensation herein provided for the Clerk.
10. To hold regular meetings at the time and place fixed for the same, one of which shall be in the last week in July of each year, and one of which shall be on the Monday next following the first Thursday in August of each year.
11. In addition to the general powers and control over all the schools operated in the Bradford Special School District, the Board of Trustees of the Bradford Special School District shall also have the power to make contracts and agreements with any and all agencies of the federal government or of the State of Tennessee with reference to the procurement of funds for the purposes of this act, and to that end, if deemed necessary, or expedient by the board, to sell, transfer or assign any bonds issued by the district to any agency of the government of the United States or of the State of Tennessee; or to make any other lawful financial arrangements with either of such governments, which the board of trustees may deem necessary or expedient.

As amended by:

Private Acts of 1977, Chapter 126

COMPILER'S NOTE: Private Acts of 1977, Chapter 126, Section 1, adds subparagraph 11 to Section 5 above. The 1977 act contains no requirement that the act receive local approval, but it does contain a provision that the school bonds authorized thereunder shall not be issued until approved by local vote. The Secretary of State indicates that the act "was not acted upon by local authorities."

SECTION 6. That all public school property, consisting of buildings, grounds, equipments, furniture, and all things thereto belonging within the boundaries of Bradford Special School District, herein created, shall be and does hereby become the property of said Bradford Special School District, and the title to the same is hereby vested in the "Board of Trustees of Bradford Special School District" and their successors in office, for the use and benefit of said district. Said Board of Trustees of Bradford Special School District shall not be liable in any way, or on the part of said special school district, to Gibson County, or to the school authorities of the county or the State of Tennessee, or any taxpayer thereof, for, or on account of, the transfer herein made of the said property, to the Board of Trustees of Bradford Special School District.

SECTION 7. That as soon as the enumeration of the scholastic population directed by this Act to be made and filed with the Trustee of Gibson County immediately after the passage of this Act, is filed with said Trustee, the said County Trustee shall apportion to Bradford Special School District, for the maintenance of the school of the same, its per capita, or pro rata share of all school funds of Gibson County, then or thereafter in his hands; and he shall also apportion to said district its pro rata or per capita share of all State school funds paid to said county by the State; the apportionment to be made upon the basis that the scholastic population of said special school district bears to the scholastic population of Gibson County; and ever thereafter, the said County Trustee shall apportion to said special school district its per capita, or pro rata share of all county school funds, and all State school funds paid to said county, that came into his hands upon the basis, that the scholastic population of said special school district bears to the scholastic population of Gibson County under the enumeration, in force at the time the apportionment is made.

SECTION 8. For the purpose of operating and maintaining the school district, and for supplementing other funds that may come to the District, there is hereby assessed a property tax of two dollars and fifty cents (\$2.50) on every one hundred dollars (\$100.00) of real and personal property located within the Bradford Special School District. The basis of the assessment herein made on said property shall be assessed value of the same, as appears by the tax records of Gibson County, Tennessee, for each respective year, and all taxes herein assessed on said real estate for each respective year are hereby made a lien upon said real estate, and no personal property of taxpayers within the said special school district, shall be exempt from levy or execution for their said taxes on personalty and polls herein assessed by this Act, the said taxes herein provided for together with all other school funds received by the Trustee of Gibson County for said Bradford Special School District, and the funds received by the

Treasurer of the Board of Trustees, shall constitute the school fund for said special school district, which funds shall be under the control of the Board of Trustees of the District and used by them for the purposes for which the special school district is created; and shall be paid out by the Trustee of Gibson County, and the Treasurer of the Board of Trustees, only upon warrants, or orders properly drawn and signed by the Clerk of the Board of Trustees and countersigned by the President of the same; provided, further, that the taxes herein assessed shall become due and be collected at the same time and in the same manner as taxes collected under the general laws of the State by the County Trustee.

In addition to the tax rate applicable to property in the Bradford Special School District under the first paragraph of this section, as finally adjusted after property reappraisal, there is hereby levied a property tax of thirty-seven cents (370) on every one hundred dollars (\$100.00) of real and personal property located within the district.

As amended by:

- Private Acts of 1920 (Ex. Sess.), Chapter 10
- Private Acts of 1923, Chapter 376
- Private Acts of 1923, Chapter 377
- Private Acts of 1981, Chapter 123
- Private Acts of 1981, Chapter 180
- Private Acts of 1982, Chapter 341
- Private Acts of 1984, Chapter 240

COMPILER'S NOTE: Private Acts of 1982, Chapter 341, changed the tax rate in Section 8 from \$2.00 to \$2.50, but the act provided that it was not to become effective unless an election were held and a majority of the qualified voters in the special school district approved the increase. Our information indicates that no such election was held. Similar provisions changing the tax rate and requiring approval by local referendum appeared in Private Acts of 1984, Chapter 240, which provisions were declared unconstitutional by the Tennessee Supreme Court in *Gibson County Special School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985). The court in the *Palmer* case held that in Private Acts of 1984, Chapter 240, the objectionable referendum requirement could be elided and the remainder of the statute was valid.

SECTION 9. That the County Tax Assessor shall prepare a separate complete list, or book, of all taxable property, both real and personal, and all polls within said special school district and furnish the same to the County Trustee for his use in making collection of said taxes.

COMPILER'S NOTE: Private Acts of 1981, Chapter 123, deleted the poll tax from Section 8, but failed to delete the other references to the poll tax appearing in Sections 8 and 9.

SECTION 10. That all school funds that come into the hands of the County Trustee for said Bradford Special School District shall be paid out by him, only as provided in Section 8 of this Act.

SECTION 11. That all the children between the ages of six and twenty-one years residing within the boundaries of Bradford Special School District, shall be entitled to the benefits of the funds arising from the provisions of this Act, and shall be entitled to free tuition in the school of the district; provided, further, that persons over the age of twenty-one years or non-residents of the district of the county, or State may be admitted as pupils in sub-section 7 of Section 5 of this Act.

SECTION 12. That no person shall be employed as principal of the school of the district, or teacher in said schools, who has not the acquirements, and certificates, as provided in sub-section 5 of Section 5 of this Act.

SECTION 12-A. That for the purpose of acquiring, erecting, repairing, remodeling necessary school buildings, procuring furnishings and equipment, paying expense of maintenance, and providing an administrative fund, and providing transportation of pupils, and said Bradford Special School District is, hereby, authorized and empowered to issue and sell negotiable interest-bearing coupon bonds in an aggregate amount not to exceed Fifty Thousand (\$50,000.00) Dollars. Said bonds shall each be for the principal amount of One Thousand (\$1,000.00) Dollars, shall mature in such order, and act such time, or times, as the resolution of the Board of Trustees shall provide.

Provided, however, that the power to issue said bonds shall not be exercised until and when a majority of the qualified voters, residents in said District, and voting in an election, held for that purpose, have voted in favor of the issue and sale of said bonds.

Within not less than 90 days, nor more than 120 days after this Act becomes effective, the Board of Trustees shall, by resolution, request the Election Commissioners of Gibson County, Tennessee, to call an election, to ascertain the will of the qualified voters of said District on the question of the issuance of the bonds, as provided in this Section.

Should the vote in said election be against the issuance of the bonds, a second election may be called, resubmitting the question of the bond issue, provided, however, that no second, nor subsequent, election shall be called nor held until after the expiration of at least six months following the first election.

In said election (first or second) the ballots shall have printed on them on one line "For School Bonds"; and on another line "Against School Bonds". The voter shall indicate his choice by making a mark opposite the words "For School Bonds", or opposite the words "Against School Bonds".

The bonds herein provided for shall not be issued nor sold for less than their face value, nor shall they bear interest in excess of three (3%) per cent per annum.

The avails of sale of the bonds shall be collected and held by the Clerk of the District; and shall be disbursed by him only under orders of the Board of Trustees and by check or voucher signed by the Clerk and countersigned by the President of the Board of Trustees.

For the purpose of providing revenues to pay the principal and interest of the bonds herein authorized, and for the purpose of providing an Administrative Fund for said Bradford Special School District, there is hereby levied, for the year 1947, and for each year thereafter, a tax of forty (\$0.40) cents on each One Hundred (\$100.00) Dollars of taxable [sic] property, real and personal, within the boundaries of said District.

The basis of assessment shall be the current tax assessment made by Gibson County.

All taxes hereby levied, when assessed, shall be a lien on the property so assessed as of the tenth (10th) day of January of the year for which assessed.

The taxes hereby levied shall be collected by the Trustee of Gibson County, and shall be due, and become delinquent as, and when, State and County taxes are due and delinquent.

All of said taxes when collected shall be paid over to the Clerk of the Board of Trustees of Bradford Special School District.

Two (2) per cent of the taxes shall be held by the Clerk as an Administrative Fund, to be used and applied in payment of incidental expenses of administration.

The remaining ninety-eight (98) per cent of the taxes shall be applied only to payment of principal and interest of the bonds hereby authorized.

The Tax Assessor of Gibson County shall prepare a separate and complete list or book of all taxable property, real and personal, within the boundaries of Bradford Special School District as set out in this Act, and furnish the same to the County Trustee of Gibson County, and the assessments shall be set up on the general tax books by the Clerk of the County Court of Gibson County.

As amended by: Private Acts of 1947, Chapter 707

SECTION 13. That all laws, and parts of laws in conflict with this Act, be and the same are hereby repealed.

SECTION 14. That this Act take effect, from and after its passage, the public welfare requiring it.

Passed: March 7, 1917.

Private Acts of 1975 Chapter 95

SECTION 1. The Bradford Special School District, in Gibson County, created by Chapter 153 of the Private Acts of 1917, as amended, is authorized to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of not over eight hundred thousand dollars (\$800,000) for the purpose of constructing, improving and equipping school buildings and additions thereto for such special school district, together with the purchase of necessary sites in connection therewith. Such bonds shall bear interest at such rate or rates not to exceed ten per cent (10%) per annum, payable annually or semi-annually, shall mature at such time or times within thirty (30) years from the date of their issuance and shall be subject to such terms of redemption with or without premium, as may be provided by resolution of the members of the special school district board. The bonds shall be in such form and of such denominations and shall be sold in such manner as the members of the special school district board may provide by resolution, but in no event shall such bonds be sold for less than par and accrued interest. The special school district board is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of such bonds. The bonds shall be signed by the chairman of the special school district board and attested by the secretary of the board, and, if such bonds are issued in coupon form, the coupons attached thereto shall be signed by the facsimile signature of said officials. The Bradford Special School District is further authorized to issue its bond anticipation notes in an aggregate principal amount of not exceeding eight hundred thousand dollars (\$800,000) in anticipation of the issuance of a like principal amount of the bonds hereinabove authorized in this section. The term "bonds" or "school bonds" as used in this Act shall include the bonds herein authorized and any bond anticipation notes issued in anticipation thereof. The proceeds of any such notes shall be applied in the same manner as proceeds of the bonds hereinabove authorized and when such

bonds have been issued, a sufficient amount of the proceeds thereof shall be applied to the payment or redemption of the outstanding bond anticipation notes herein authorized. The Bradford Special School District is hereby further authorized to extend from time to time the maturity of the bond anticipation notes herein authorized at or prior to the maturity thereof by the issuance of extension bond anticipation notes for such purpose. Each series of extension bond anticipation notes shall extend the maturity of the outstanding bond anticipation notes and shall mature not more than three years from the date of issuance of said extension notes. The term "bonds" or "school bonds" as used in this Act shall also include any extension bond anticipation notes herein authorized. The proceeds of such anticipation notes shall be applied to the payment or redemption of the board anticipation notes then outstanding and when the bonds herein authorized have been issued, a sufficient amount of the proceeds thereof shall be applied to the payment or redemption of any outstanding bond anticipation notes issued for such extension.

As amended by:

Private Acts of 1980, Chapter 270

Private Acts of 1983, Chapter 67

SECTION 2. For the purpose of paying the principal of and interest and any redemption premium on the school bonds herein authorized, there is hereby levied a continuing tax of one dollar and fifteen cents (\$1.15) on each one hundred dollars (\$100) worth of taxable property in the Bradford Special School District, beginning with the year 1980 and continuing until said bonds have been paid in full as to both principal and interest. The tax shall be annually extended and collected by the county officials of Gibson County in the manner provided by the general law for the extension and collection of county taxes and shall constitute a lien on the property against which it is levied with like force and effect as do county taxes. The proceeds of the tax, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and interest and redemption premiums on the school bonds herein authorized.

If the Quarterly County Court of Gibson County should levy any countywide tax or taxes for the purpose of providing new or additional school buildings for Gibson County, which tax is applicable in the territory embraced in the Bradford Special School District, to residents or property owners, or both, therein, the county trustee shall pay over to the Bradford Special School District Fund the district's proportionate part of the proceeds of such tax, based on the average daily attendance in the public schools within the district as compared to the average daily attendance in all the public schools in the county, to be applied to the funding of any bonds issued under the authority of this Act.

SECTION 3. The bonds herein authorized shall be exempt from all state, county and municipal taxation in the state of Tennessee.

SECTION 4. [Deleted by Private Acts of 1980, Chapter 270].

SECTION 5. [Deleted by Private Acts of 1980, Chapter 270].

SECTION 6. The provisions of this Act are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases, or parts be held unconstitutional or void, the remainder of this Act shall continue in full force and effect, it being the legislative intention now hereby expressed and declared that this Act would have been adopted even if such unconstitutional or void matter had not been included herein.

SECTION 7. Except as otherwise provided herein, this Act shall take effect upon becoming law, the public welfare requiring it.

Passed: April 30, 1975.

Private Acts of 1991 Chapter 137

SECTION 1. A severance tax is hereby levied in the Bradford Special School District on sand, gravel, clay, and all other minerals that are severed from the earth for private commercial purposes. Such tax shall be in addition to all other taxes levied by or for the Bradford Special School District. However, the tax levied by this act shall not apply to minerals severed and taxed by the county in which the Bradford Special School District is located pursuant to the provisions of general law. The owner shall become liable for payment of the severance tax at the time the mineral is severed from the earth and transported from the mine. The tax is levied upon the severance of the mineral regardless of the place of processing or sale of the mineral or the fact that delivery may be made outside the Bradford Special School District. The tax levied shall be a lien upon all subject minerals severed and any other property owned by the miner and such liens shall be entitled to preference over all judgments, encumbrances, or liens whatsoever.

SECTION 2. The tax rate shall be fifteen cents (15¢) per ton of sand, gravel, clay, or other mineral products severed from the ground and subject to the tax.

SECTION 3. Administration and collection of this tax shall be by the Tennessee department of revenue.

The department shall collect and administer this tax in the same manner and in accordance with the same procedure as is currently used by the department for collection and administration of other local severance taxes, provided however that the Tennessee department of revenue may deduct from said tax collected a reasonable amount or percentage, not to exceed three percent (3%) of the tax collected, to cover the expenses of the administration and collection. The department of revenue may promulgate all rules and regulations necessary and reasonable for the administration of the provisions of this act. All administrative provisions of all laws contained in Tennessee Code Annotated, Title 67, relating to collection by the commissioner of taxes, licenses, fees, and penalties and interest therefor, including, but not limited to Chapter I thereof, and any amendments thereto, and all other requirements and duties imposed upon taxpayers therein, shall apply to all persons liable for taxes under the provisions of this act; and the commissioner shall exercise the power and authority and perform all the duties with respect to taxpayers under this act as are provided in all other chapters of Title 67, except where there is conflict, and then the provisions of this act shall control; provided however, that the net revenues collected shall be remitted quarterly to the board of trustees of the Bradford Special School district as soon as practical following the end of the calendar quarter to be used for the construction, maintenance, and operation of the public schools of said district.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect July 1, 1991, the public welfare requiring it.

Passed: June 20, 1991.

Private Acts of 1992 Chapter 251

SECTION 1. Chapter 467 of the Private Acts of 1925, as it relates or purports to relate to the Bradford Special School District in Gibson County, Tennessee, is hereby repealed and all actions taken by or on behalf of the Bradford Special School District pursuant to authority granted by Chapter 153 of the Private Acts of 1917, as heretofore amended and supplemented (other than by Chapter 467 of the Private Acts of 1925), including the issuance of eight hundred thousand dollars (\$800,000) aggregate principal amount of Limited Tax Bonds, Series 1985, by said District are hereby ratified, confirmed and validated, the provisions of Chapter 467 of the Private Acts of 1925 to the contrary notwithstanding.

SECTION 2. So long as no increase in the rate of taxes levied on property within the boundaries of the Bradford Special School District is necessary to pay the principal and interest thereon, the Board of Trustees of the Bradford Special School District (the "District") may, by resolution, authorize and issue from time to time notes, bonds and other debt obligations, including bond anticipation notes, in such principal amounts, maturing at such times not to exceed thirty (30) years from their date of issue, and bearing interest at such rates as may be determined by the Board of Trustees of the District, for the purposes for which the District was created and for the refinancing or refunding of existing debt obligations whether or not the same be fully defeased. Such bonds, notes or other obligations shall be issued in registered form, and shall be sold at competitive public sale or at private negotiated sale, as determined by the Board of Trustees, for not less than ninety-seven percent (97%) of par value for the entire issue or series thereof plus accrued interest, if any; provided, however, if any part of such issue or series are to be sold at zero (0) rate of interest or at an original issue discount, such part may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such discount bonds plus accrued interest, if any. In issuing notes, bonds and other debt obligations pursuant hereto, the District shall comply, to the extent not inconsistent herewith, with all applicable procedures and requirements of the Local Government Public Obligations Act of 1986, as amended (the "Act") (currently codified as Title 9, Chapter 21, Tennessee Code Annotated) or the comparable provisions of any successor act. For the purposes of determining the applicability of various provisions of the Act, the District shall be considered a "local government", its Board of Trustees shall be considered its "governing body", and all notes, bonds and other debt obligations of the District which are payable from or secured, in whole or in part, by a pledge of revenues derived from taxes levied by the General Assembly against real property within the boundaries of the District shall be considered "revenue obligations" of the District.

SECTION 3. Notes, bonds and other debt obligations of the District issued pursuant to the authority hereof and the income therefrom shall be exempt from all state, county and municipal taxation in the State of Tennessee except for inheritance, transfer and estate taxes, and except as otherwise provided by general law.

SECTION 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect

without the invalid provision or application, and to that end, the provisions of this Act are declared to be severable.

SECTION 5. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 1, 1992.

Private Acts of 1995 Chapter 53

SECTION 1. Chapter 153 of the Private Acts of 1917, as heretofore amended and supplemented, and all other acts amendatory thereto, relative to the Bradford Special School District in Gibson County, Tennessee are hereby amended to provide as follows: Effective July 1, 2022, and for the fiscal year beginning thereon, there is hereby levied a property tax of one dollar ninety-eight cents (\$1.98) on every one hundred dollars (\$100) of real and personal property located within the Bradford Special School District. The tax hereby levied shall be in lieu of, not in addition to, all taxes heretofore authorized or levied on real and personal property in the Bradford Special School District. Revenues from the tax hereby levied shall be used to fund operations, current and future debt service, and capital projects of the Bradford Special School District.

As amended by: Private Acts of 2006, Chapter 118

As amended by: Private Acts of 2015, Chapter 5

As amended by: Private Acts of 2022, Chapter 40

(a) The board of trustees may, by resolution duly adopted by a majority of the entire membership of such board, authorize and issue from time to time notes, bonds and other debt obligations, including bond anticipation notes, in such principal amounts, maturing at such times not to exceed thirty (30) years from their date of issue, and bearing interest at such rates as may be determined by the board of trustees of the district, for the purposes for which the district was created and for the financing or refunding of existing debt obligations whether or not the same be fully defused.

(b) Such bonds, notes or other obligations shall be issued in fully registered form and shall be held at competitive public sale or at private negotiated sale, as determined by the board of trustees, for not less than ninety-seven percent (97%) of par value for the entire issue or series thereof plus accrued interest, if any, thereon; provided, however, if any part of such issue or series is to be sold at a zero percent (0%) rate of interest or at an original issue discount, such part may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such discount obligations plus accrued interest, if any, thereon.

(c) In issuing notes, bonds and other debt obligations pursuant hereto, the district shall comply, to the extent not inconsistent herewith, with all applicable procedures and requirements of the Local Government Public Obligations Act of 1986, as amended (the "Act") (currently codified as Tennessee Code Annotated, Title 9, Chapter 21) or the comparable provisions of any successor act. For the purpose of determining the applicability of various provisions of the act, the district shall be considered a "local government", its board of trustees shall be considered its "governing body", and all notes, bonds and other debt obligations of the district which are payable from or secured, in whole or in part, by a pledge of revenues derived from taxes levied by the general assembly against taxable real and/or personal property within the boundaries of the district shall be considered "revenue obligations" of the district.

(d) Notes, bonds and other debt obligations of the district issued pursuant to the authority hereof and the income therefrom shall be exempt from all state, county and municipal taxation in the state of Tennessee except for inheritance, transfer and estate taxes, and except as otherwise provided by general law.

(e) Notwithstanding the contrary provisions of any other provision hereof or of the act, notes, bonds and other debt obligations of the district may not be issued hereunder in anticipation of an increase in the tax rate on taxable property within the boundaries of the district.

As amended by: Private Acts of 2001, Chapter 54

SECTION 2. Except as hereby amended, the provisions of Chapter 153 of the Private Acts of 1917, as heretofore amended and supplemented, shall remain in full force and effect from and after the effective date hereof.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 27, 1995.

Gibson County Special School District

Private Acts of 1981 Chapter 62

COMPILER'S NOTE: The following act contains numerous errors which appear in the original act, as amended.

SECTION 1.

A. ESTABLISHMENT AND NAMING OF SPECIAL SCHOOL DISTRICT - A Special School District is hereby created and established to be known and designated as the "Gibson County School District" hereafter referred to as "District" in this Act.

B. BOUNDARY LINES. The area of the "District" shall include that portion of Gibson County which in not included in the area encompassing the Humboldt City Limits; the area encompassing the Bradford Special School District; and the area encompassing the Thirteenth (13th) Civil District including the Milan Special School District, as of the date this act is approved by the Tennessee State Legislature. The area of the "District" shall also include the following areas in Gibson County adjoining the Milan Special School District.

(1) Beginning at the Carroll County-Gibson County line at the Northern most boundary of the Milan Special School District; i.e., Thirteenth Civil District, thence following said Northern boundary Westward to Highway 45E, thence with Highway 45E to its intersection with the Harmond Road, thence East with the Harmond Road to the Robert Crocker Road, thence East with the Robert Crocker Road to its intersection with the Walnut Grove Road, thence North with the Walnut Grove Road to its intersection with the Willie Tee Crocker Road; thence East with the Willie Tee Crocker Road to the Neal Road to the Flippen Field Road, thence Northeast with the Flippen Field Road to its intersection with the Holly Leaf Road, thence East with the Holly Leaf Road to its intersection with the Old Meridian Road, thence South with the Old Meridian Road to its intersection with the Horrace Burress Road, thence Southeast with the Horrace Burress Road to its intersection with the Poplar Spring Road, thence Northeast with the Poplar Spring Road to its intersection with the Flippen School House Road, thence Southeast with the Flippen School House Road to the Gibson County-Carroll County line, thence South with said county line to the beginning point.

(2) Beginning at the intersection of the Moore's Chapel Sander's Store Road and the Milan-Trenton Highway, thence South with the Moore's Chapel Sander's Store Road to its intersection with the Smith-Scott Road, thence East with the Smith-Scott Road to its most Eastern point, thence due East to the Western Boundary of the 13th Civil District, thence North with the Western Boundary of the 13th Civil District to the Rutherford Fork of the Obion River, thence Northwest with the Rutherford Fork of the Obion River to the Jack Connell Road, thence West with the Jack Connell Road to its intersection with the Bobby Burress Road, thence South with the Bobby Burress Road to its intersection with the Hertlow Road, thence South with the Hertlow Road to its intersection with the Concord Road, thence South with the Concord Road to its intersection with the Milan-Trenton Highway, thence East with the Milan-Trenton Highway to the beginning point.

(3) Beginning at the intersection of Highway 45E with the Browning Road, thence following the Browning Road West to its intersection with the Chapel Hill Road, thence Northwest with the Chapel Hill Road to its intersection with the Mathis Crossing Road, thence with the Mathis Crossing Road North to its intersection with the Access Road, thence North with the Access Road to its intersection with the boundary of the Milan Special School District; i.e., Thirteenth Civil District; thence East and South with the boundary of the Milan Special School District; i.e., Thirteenth Civil District to Highway 45E, thence South with Highway 45 to the beginning point.

(C) The boundaries of the Gibson County School District as herein described shall supersede the boundaries of any special school district or school taxing district which may extend to within the territory of Gibson County included in the Gibson County School District.

As amended by: Private Acts of 1986, Chapter 152.

SECTION 2. From and after the effective date of the act, and commencing upon the expiration of the current term of office which each such member is presently serving, the seven (7) members of the Board of Trustees of the Gibson County School District shall henceforth be elected for a four (4) year term. The qualifications, districts, existing terms of office and method of election of the members of the Board of Trustees are not affected by this amendment.

As amended by: Private Acts of 1995, Chapter 63.

A. "DISTRICT BOARD OF TRUSTEES. The management and control of said "District" shall be vested in a Board of Trustees of seven members consisting of six (6) members representing six districts and one

member representing the entire "District" to be known as the "at large member."

B. BOARD OF TRUSTEES DISTRICTS REPRESENTED. The "District" shall be divided into six (6) districts for selecting board members described as follows:

(1) TRUSTEE POSITION ONE (1). The appointed school board trustee shall serve for one (1) year and the successor shall be elected for a seven (7) year term. The "Trustee" shall represent Position One and be elected by the eligible voters living in the School District encompassing the area contained within Magisterial District Number 15, except the area contained in Position Five (5).

As amended by: Private Acts of 1987, Chapter 107

(2) TRUSTEE POSITION TWO (2). The appointed school board trustee shall serve for two (2) years and the successor shall be elected for a seven (7) year term. The "Trustee" shall represent Position Two and be elected by the eligible voters living in the School District encompassing the area contained within Magisterial District Number 14 and those eligible voters living in Magisterial District Number 12 North of a line extended East from the Gravett Crossing Road to the West Boundary of the Bradford Special School District at the intersection of the Blackburn Road with the Keely Mill Road, except the area contained in Position Five (5).

(3) TRUSTEE POSITION THREE (3). The appointed school board Trustee shall serve for three (3) years and the successor shall be elected for a seven (7) year term. The "Trustee" shall represent Position Three and be elected by the eligible voters living in the School District encompassing the area contained within Magisterial District Number 13 and those eligible voters living in magisterial District 12 South of a line extended East from the Gravett Crossing Road to the West Boundary of the Bradford Special School District at the intersection of the Blackburn Road with the Keely Mill Road.

(4) TRUSTEE POSITION FOUR (4). The appointed school board trustee shall serve for four (4) years and the successor shall be elected for a seven (7) year term. The "Trustee" shall represent Position Four and be elected by the eligible voters living in the School District encompassing the area contained within Magisterial District Number 4.

(5) TRUSTEE POSITION FIVE (5). The appointed school board trustee shall serve for five (5) years and the successor shall be elected for a seven (7) year term. The "Trustee" shall represent Position Five (5) and be elected by the eligible voters living in the school district encompassing the area bound by the following description:

Beginning at a point at the northern most intersection of the Walnut Grove Road and the Tommie Duffy Loop Road; thence, north with the Walnut Grove Road to the Toole Road; thence, east with the Toole Road to the Joe Penn Road; thence, north with the Joe Penn Road to its first westerly turn; thence, due north to the Gibson County/Obion County line; thence, west with the Gibson County/Obion County line to its intersection with Grass Creek; thence south with Grass Creek to its intersection with the Tull Road; thence, east with the Tull Road to the Fairview Road; thence, southwest with the Fairview Road to an unnamed road connecting the Fairview Road and the Bob Craig Road; thence, east with that unnamed road to the Bob Craig Road; thence, south with the Bob Craig Road to the Lakeview Road; thence, east with the Lakeview Road to its intersection with Highway 45; thence, directly to the beginning point.

As amended by: Private Acts of 1987, Chapter 107.

(6) TRUSTEE POSITION SIX (6). The appointed school board trustee shall serve for six (6) years and the successor shall be elected for a seven (7) year term. The "Trustee" shall represent Position Six and be elected by the eligible voters living in the School District encompassing the area bound on the West by the southern most boundary of Magisterial District Number 4 to the intersection of the Gibson Wells-Humboldt Road and the Edison-Motley Road thence following the Southeast boundary of the Trenton Special School District to Moore's Chapel, thence from Moore's Chapel South with the Moore's Chapel Sander's Store Road to its intersection with the Smith-Scott Road, thence with the Smith-Scott Road to its most Eastern point, thence due East to the Western boundary of the 13th Civil District, thence South and East with the Western boundary of the 13th Civil District to its intersection with the Access Road, thence South-West with the Access Road to its intersection with the Humboldt-Gibson Road, thence South-West with the Humboldt-Gibson Road to the City limits of Humboldt, thence West and South with the City limits of Humboldt to its intersection with Highway 70, thence following Highway 70 to the Gibson County-Crockett County line, thence with the Gibson County-Crockett County line to the beginning point.

(7) TRUSTEE POSITION SEVEN (7). The appointed school board trustee shall serve for seven (7) years and the successor shall be elected for a seven (7) year term. The "Trustee" shall represent Position Seven and be elected by the eligible voters living in the School District encompassing the area bound on the South-West by the Gibson County-Crockett County line and following that line

South-East to the Gibson County-Madison County line, thence East with the Gibson County-Madison County line to the Gibson County-Carroll County line, thence North with the Gibson County-Carroll County line, to the point where it intersects with the boundary of the Milan Special School District, thence with the South-Western boundary of the Milan Special School District to its intersection with the Access Road, thence South-West with the Access Road to the Humboldt-Gibson Road, thence South-West with the Humboldt-Gibson Road to the City limits of Humboldt, thence following the East and South boundaries of the City of Humboldt to US Highway 70, thence South-West with Highway 70 to the Gibson County-Crockett County line.

C. ELECTION OF SCHOOL DISTRICT BOARD OF TRUSTEE MEMBERS. Upon the expiration of a "member's" term, an election shall be held under the auspices of the County Election Commission and such laws and regulations governing the election of county officials. The successors of "Members" whose terms expire in the year in which a county general election is held shall be elected during such election. For "Members" whose terms expire in years for which there is no county general election, an election shall be held on the first Thursday in August.

D. BOARD MEMBERS TAKING OFFICE AFTER AN ELECTION. The person elected or appointed to fill a vacancy shall take office and be sworn in at the next School District Board meeting following such election or appointment.

E. FILLING VACANCY OF SCHOOL BOARD MEMBER. If a board member resigns, dies, moves out of the district represented, or for any other reason vacates the position of school board trustee, the remaining trustees on the board shall appoint a successor or successors from those districts vacated until the next county general election, at which time a successor shall be elected to fill the unexpired term or terms.

As amended by: Private Acts of 1996, Chapter 196

F. APPOINTMENT OF ORIGINAL BOARD OF TRUSTEE MEMBERS. The first Board of Trustee members so named in this Act shall represent the following board member districts and shall hold office until their successors are elected as provided in this Act.

Position One:	Richard Binkley
Position Two:	A. B. Hugueley
Position Three:	Douglas Duncan
Position Four:	Jane Tyree
Position Five:	Leotha Elam
Position Six:	Irby Coleman
Position Seven:	Larry Darby

G. ORGANIZATION OF FIRST BOARD OF TRUSTEES. The hereinabove named First Board of Trustees members shall within thirty (30) days of approval by the State Legislature meet, be sworn in, and elect a Chairman, Vice-Chairman, and a temporary Secretary-Treasurer/Fiscal Agent from among the members.

H. COMPENSATION OF BOARD MEMBERS. Board of Trustee members shall be paid a reasonable compensation to cover expenses incurred as a result of serving on such Board.

I. AUTHORITY OF BOARD OF TRUSTEES. The said Board herein created and their successors in office shall constitute, and are hereby declared the "Board of Trustees of the Gibson County School District," and by that name may sue and be sued, plead and be impleaded, and have continual succession for the purpose hereinafter designated; enter into contracts and make such by-laws and regulations from time to time as they deem necessary herein and as is consistent with the authority herein conferred and the laws and regulations of the State of Tennessee for the purpose of carrying into effect the object for which they are created.

J. POWERS AND DUTIES OF THE BOARD. In addition to the powers and duties further described in this Act, the Board of Trustees shall have such other powers and duties as provided below:

(1) To establish, manage, and maintain a public school system in accordance with state law and regulations and as may be requested by the citizens in said "District."

(2) The Board of Trustees shall employ a Director of Schools under a written contract of up to four (4) years' duration, which may be renewed. Any such person transferred during the term of such person's contract shall not have such person's salary diminished for the remainder of the contract period. The board may dismiss the director for cause as specified in Tennessee Code Annotated, 49-2-203, or in title 49, chapter 5, part 5, as appropriate. The Director of Schools may be referred to as the "superintendent" and references to or duties of the former county superintendents shall be deemed references to or duties of the Director of Schools employed under this section. The Board of Trustees is the sole authority in appointing a superintendent.

As amended by: Private Acts of 1996, Chapter 196

(3) To approve the employment of competent teachers and such other school personnel as may be

recommended by the superintendent of schools, and to set salaries and employee benefits within the available funds of the said "District."

(4) To use the available funds from state, federal, and local sources in their judgment and discretion to provide the best education for the children of said "District."

(5) To hold regular meetings at such time and such place as the Board may decide, only upon public notice of such meetings. Four members will constitute a quorum, and the chairman or three members may call for a special meeting with proper notice.

(6) To have full power and authority to adopt rules, policies, and by laws necessary for the management, maintenance, supervision, and conduct of the school system which are not inconsistent with this Act or the general laws of the State.

(7) To require the Superintendent to hire a competent bookkeeper or accountant to maintain the accounting records up-to-date and in accordance with general accounting standards and State law and regulations.

(8) To contract annually with a competent auditor in the field of governmental accounting for preparing an annual audit of all financial records, receipts, and disbursements of the school system including the individual school accounts.

(9) To require the Superintendent to prepare an annual operating budget reflecting beginning balances, realistic revenues and expenditures, and estimated ending balances. Such budget prepared and adopted must reflect a balanced budget, available funds equal to or greater than expenditures. In the event projected revenues are not sufficient to meet the expenditures during the current school year, the Board has authority to require the Superintendent to present a plan to reduce expenditures and upon such recommended plan adopt or amend recommendations.

(10) To purchase a fidelity or surety bond of a minimum of \$50,000 for the Secretary-Treasurer/ Fiscal Agent, and all employees who handle cash, write checks, and maintain financial records.

(11) To issue interest bearing tax or revenue anticipation notes for the purpose of meeting appropriations made for the current fiscal year not exceeding sixty (60) percent of such revenues. All such notes shall mature not later than the close of such fiscal year; provided such note may be extended past the end of the fiscal year for ninety (90) days for documented state and federal grants approved on a reimburseable basis and such reimburseable documentation has been submitted to the proper agency and can be verified as an authorized claim.

As amended by: Private Acts of 1981, Chapter 181

SECTION 3. LOCAL TAX FOR SCHOOL OPERATIONS. For the purpose of operating and maintaining the school district, there is hereby assessed a property tax of two dollars and fifty cents (\$.25) on every one hundred dollars (\$100.00) of real and personal property located within the "District".

In addition to the tax rate applicable to property in the Gibson County Special School District under the first paragraph of this section, as finally adjusted after property reappraisal, there is hereby levied a property tax of thirty-seven cents (.37) on every one hundred dollars (\$100.00) of real and personal property located within the district.

In addition to the tax rate applicable to property in the Gibson County Special School District under this section, there is hereby levied a property tax of twenty cents (.20) on every one hundred dollars (\$100) of real and personal property located within the district, such tax to take effect January 1, 1990 to provide funds for the 1990-1991 school year and all subsequent school years.

As amended by:
Private Acts of 1981, Chapter 181
Private Acts of 1982, Chapter 342
Private Acts of 1984, Chapter 241
Private Acts of 1989, Chapter 113

COMPILER'S NOTE: Both the 1982 and 1984 acts referenced above contain provisions that the tax increase could not be levied until it had been approved by majority vote of the residents in the school district. The referendum requirement contained in the 1984 act was declared unconstitutional by the Tennessee Supreme Court in Gibson County Special School District v. Palmer, 691 S.W.2d 544 (Tenn. 1985). The court held that Private Acts of 1984, Chapter 241, was enforceable after striking out the section which required local approval. Both the 1982 and 1984 acts bear the Secretary of State's certification that local ratification is not required.

SECTION 4. EDUCATION PROVIDED TO CHILDREN OF THE DISTRICT. All the children living within the boundaries of said "District" shall be entitled to the benefit of the funds arising from the provisions of this Act, and are entitled to free tuition in the school or schools operated by said District subject to the child behavior policies adopted by the Board of Trustees.

The Board of Trustees shall have the power to admit by contract non-residents students of said "District".

SECTION 5.

A. IMPLEMENTATION OF THIS ACT. Upon the approval of this Act, the members of the First Board shall meet within 30 days, elect a Chairman, Vice-Chairman, and a temporary Secretary-Treasurer/Fiscal Agent to maintain the minutes until a Superintendent is hired.

B. Within 10 days after formation of the Board of Trustees, the Act shall be presented to the County Election Commission for a public referendum.

C. REFERENDUM OF DISTRICT VOTERS. The Gibson County Election Commission shall conduct an election in accordance with Tennessee Code Annotated, Section 2-14-102 or such other sections which apply to this Act.

D. SUBMITTING ACT AND REQUEST TO STATE BOARD OF EDUCATION. Upon approval of this Act by the voters of the "District", the Board of Trustees shall submit a request to the State Board of Education for their approval of the Gibson County School District in accordance with Tennessee Code Annotated, Section 49-233.

SECTION 6. If any provision of this Act or the application thereof to any person or circumstance is held invalid, then such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 7. [Deleted by Private Acts of 1981, Chapter 181].

COMPILER'S NOTE: Section 7 provided that the act would not be effective unless approved by referendum election within the school district. This procedure was found to be unconstitutional in Gibson County Special School District v. Palmer, 691 S.W.2d 544 (Tenn. 1985), which held that where the question of whether a law becomes effective is determined by a popular vote of those who will be subject to the law, there has been an unconstitutional delegation of legislative authority.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

As amended by: Private Acts of 1981, Chapter 181

Passed: March 19, 1981.

COMPILER'S NOTE: Private Acts of 1981, Chapter 62, was amended by Private Acts of 1994, Chapter 155, to authorize and empower Gibson County School District to issue and sell school bonds in a principal amount sufficient to refund certain outstanding obligations of the district and to dedicate a portion of existing tax revenues to pay said bonds. The 1994 act is published herein in its entirety.

Private Acts of 1987 Chapter 62

SECTION 1. The Gibson County School District, created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 156 [sic] of the Private Acts of 1986, and all other amendatory acts thereto, is hereby authorized to borrow money and issue its bonds in the aggregate principal amount of not more than six hundred fifty thousand dollars (\$650,000) for the purpose of acquiring, constructing, improving, repairing and equipping schools and additions thereto for the school district, and acquiring all property, real and personal, appurtenant thereto or connected with such work. The bonds shall bear interest at a rate or rates not exceeding eight and one-half percent (8-1/2%) per annum, payable annually or semi-annually, and shall mature serially or otherwise in not exceeding twenty-five (25) years after the date thereof, as may be provided by resolution of the board of trustees of such school district. The bonds shall be in such form including coupon or registered form and of such denominations, may be made subject to redemption prior to maturity, with or without premium, and shall be sold as a whole or in part from time to time in such manner as the board of trustees shall provide by resolution, but in no event shall such bonds be sold for less than par value plus accrued interest. The board of trustees is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of these bonds.

The bonds shall be signed by the chairman of the board of trustees and attested by the secretary of the board, and if the bonds are issued in coupon form, the coupons attached thereto shall be signed with the signatures of these officials, all as the board of trustees shall provide by resolution.

SECTION 2. The board of trustees is hereby authorized to pledge such taxes levied on taxable property located within the school district as necessary to pay the principal of and interest and any redemption premiums on the school bonds herein authorized, being a portion of the existing taxes, and not an increase therein, beginning with the year 1987 and continuing until the bonds shall have been paid in full

as to both principal and interest. The taxes shall be annually extended and collected by the county officials of Gibson County in the manner provided by the general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The proceeds of these taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of, and interest, and any redemption premiums, on the school bonds herein authorized

SECTION 3. The bonds herein authorized shall be exempt from all state, county and municipal taxation in the state of Tennessee.

SECTION 4. If any one or more provisions of this act or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid, the remaining provisions hereof and the application thereof to persons or circumstances other than those to which it is held to be invalid shall not be affected thereby and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it, and the bonds provided for herein may be issued upon approval as provided for in Section I and 2 of this act.

Passed: April 1, 1987.

Private Acts of 1994 Chapter 155

SECTION 1. Gibson County School District, (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, and Chapter 79 of the Private Acts of 1993 and all other Acts amendatory thereto, if any, located in Gibson County, Tennessee, is hereby authorized and empowered to issue and sell bonds for the purpose of refunding and refinancing all or any portion of the district's outstanding school bonds, Series 1987. The bonds shall be issued in an aggregate principal amount not to exceed the amount necessary to provide for the payment of principal, interest and redemption premiums on the district's outstanding school bonds, Series 1987, or any portion thereof, and to pay all costs associated therewith and cost of issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding twenty (20) years from their respective date or dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's Board of Trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by of the district's Board of Trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds, plus accrued interest). The Board of Trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the district's Board of Trustees authorizing the bonds.

SECTION 4. The Board of Trustees is hereby authorized to pledge such taxes levied on taxable property located within the boundaries of the district as necessary to pay the principal of and interest and any redemption premiums on the bonds, being a portion of the existing taxes, and not an increase therein. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The proceeds of the taxes so pledged, when collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and premium, if any, and interest on the bonds.

SECTION 5. The bonds, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 6. The district is further authorized to issue at any time in accordance with the terms hereof bonds to refund the bonds.

SECTION 7. If any provision of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 30, 1994.

Private Acts of 1995 Chapter 52

SECTION 1. Gibson County School District, located in Gibson County, Tennessee (the "district"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, and Chapter 79 of the Private Acts of 1993, and Chapter 155 of Private Acts of 1994, and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell bonds in the aggregate principal amount of not to exceed five million three hundred dollars (\$5,300,000) for the purpose of providing funds for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds as the Board of Trustees of the district shall determine, and for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding twenty-five (25) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's Board of Trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's Board of Trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds, plus accrued interest). The Board of Trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the district's Board of Trustees authorizing the bonds.

SECTION 4. The Board of Trustees is hereby authorized to pledge such taxes levied on taxable property located within the boundaries of the district as necessary, together with any other funds pledged for said purpose, to pay the principal of and interest and any redemption premiums on the bonds and create any reserves relating thereto. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The proceeds of the taxes so pledged, when collected, shall be deposited to the debt service fund of the district and used for the purpose of paying principal of and premium, if any, and interest on the bonds.

SECTION 5. The Board of Trustees is authorized to pledge to the payment of the bonds all or a portion of any funds received by the district under the Tennessee Basic Education Program available to be used for

capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections.

SECTION 6. Section 3 of the act of incorporation is hereby amended by adding a new paragraph thereto, as follows:

In addition to the tax rate currently applicable to property in the district under this section, there is hereby levied a property tax of thirty-four cents (\$0.34) per one hundred dollars (\$100) of assessed value of real and personal property located within the district, such tax to take effect on January 1, 1995 for the 1995 tax year and each tax year thereafter.

SECTION 7. The bonds, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 8. The district is further authorized to issue at any time in accordance with the terms hereof bonds to refund the bonds authorized herein.

SECTION 9. If any provision of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 27, 1995.

Private Acts of 1995 Chapter 79

SECTION 1. Gibson County School District, (the "district"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the Private Acts of 1993, Chapter 155 of Private Acts of 1994, and all other acts amendatory thereto, if any, located in Gibson County, Tennessee, is hereby authorized and empowered to issue and sell bonds for the purpose of refunding and refinancing all or any portion of the district's outstanding school bonds, series 1987. The bonds shall be issued in an aggregate principal amount not to exceed the amount necessary to provide for the payment of principal, interest and redemption premiums on the district's outstanding school bonds, series 1987, or any portion thereof, and to pay all costs associated therewith and costs of issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's board of trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's board of trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds, plus accrued interest). The board of trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the district's board of trustees authorizing the bonds.

SECTION 4. The board of trustees is hereby authorized to pledge such taxes levied on taxable property located within the boundaries of the district as necessary to pay the principal of and interest and any redemption premiums on the bonds, being a portion of the existing taxes, and not an increase therein. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The proceeds of the taxes so pledged, when collected, shall be placed in a special fund and shall be used

solely for the purpose of paying principal of and premium, if any, and interest on the bonds.

SECTION 5. The bonds, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 6. The district is further authorized to issue at any time in accordance with the terms hereof bonds to refund the bonds.

SECTION 7. If any provision of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 25, 1995.

Private Acts of 1999 Chapter 55

SECTION 1. The Gibson County Special School District, located in Gibson County, Tennessee (the "District"), created by Chapters 62 and 181 of the Private Acts of 1981; Chapter 342 of the Private Acts of 1982; Chapter 241 of the Private Acts of 1984; Chapters 152 and 178 of the Private Acts of 1986; Chapters 62 and 107 of the Private Acts of 1987; Chapter 113 of the Private Acts of 1989; Chapter 79 of the Private Acts of 1993; Chapter 155 of Private Acts of 1994; Chapters 52, 63, and 79 of the Private Acts of 1995; Chapter 196 of the Private Acts of 1996; and all other Acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of Trustees of the District, bonds in the aggregate principal amount of not to exceed Ten Million Dollars (\$10,000,000) for the purpose of providing funds for the purpose of providing funds (i) for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with the work, and the purchase of school buses and school transportation equipment, (ii) for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds as the Board of Trustees of the District shall determine, (iii) for the payment of interest on the bonds during the period of construction and for six (6) months thereafter, and (iv) for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the District's Board of Trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of Trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds, plus accrued interest). In connection with the issuance of the bonds, the District may authorize and enter into interest rate swap or exchange agreements, agreements establishing interest rate floors or ceilings or both, and other interest rate hedging agreements under such terms and conditions as the Board of Trustees may determine, including, without limitation, provisions permitting the District to pay to or receive from any person or entity any loss of benefits under any such agreement upon early termination thereof or default thereunder. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Trustees authorizing the bonds.

SECTION 4. The Board of Trustees is hereby authorized to pledge such taxes levied on taxable property located within the boundaries of the District as necessary to pay the principal of and interest and any

redemption premiums on the bonds and any other indebtedness of the district,, being a portion of the existing taxes, and not an increase therein. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee, in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes.

SECTION 5. For the purpose of paying principal of and interest and any redemption premiums on the bonds herein authorized and any other indebtedness of the District, there is hereby levied, in addition to any tax currently being levied within the boundaries of the District for the benefit of the District, a property tax of twenty-five cents (\$0.25) on every one hundred dollars (\$100) of real and personal property located within the District, such tax to take effect January 1, 1999, for the 1999 tax year and each tax year thereafter. This rate is established to provide tax revenues sufficient to pay principal of and interest on the bonds as they come due, assuming current interest rates and approximately equal annual debt service requirements over the term of the bonds. If the annual debt service requirements on the bonds should be less than anticipated by the establishment of the tax rate herein, either because the District issues fewer than all the bonds authorized herein or the interest rates on the bonds are materially different from currently applicable rates, or both, the tax rate hereinabove established shall be reduced to a rate which will produce tax revenues in an amount sufficient to pay debt service on the bonds. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Tennessee Code Annotated, Section 67-5-1704, relating to the county-wide reappraisal. In addition, in the event the total assessed value of all property subject to the tax hereinabove described declines by more than ten percent (10%) from January 1 of any year to January 1 of the next succeeding year or declines by more than fifteen (15%) from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the Board of Trustees, the county assessor of property shall certify to the county trustee and the Board of Trustees the total assessed value of taxable property within the District and furnish the county trustee and the Board of Trustees an estimate of the total assessed value of all new construction and improvements not included on the assessment roll of the base year and all deletions from the assessment roll of the base year. Upon receipt of the information and certifications, the county trustee shall adjust the tax rate established herein to an adjusted rate which is estimated to provide to the District the same tax revenue as was provided by the tax in the base year, exclusive of such new construction, improvements and deletions, in accordance with policies established by the State Board of Equalization pursuant to Tennessee Code Annotated, Section 67-5-1701(b), or any successor thereto. The taxes shall be used exclusively to pay principal and interest and any redemption premium on the bonds authorized herein and any other indebtedness of the District as they become due and to maintain debt service fund balances. The Board of Trustees is hereby authorized to pledge such tax to pay the principal of and interest and any redemption premiums on the bonds and any other indebtedness of the District. The taxes shall be annually extended and collected by the county trustee of Gibson County in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. In the event the property taxes and such other funds as shall be pledged to the payment of the indebtedness of the District are not sufficient to pay principal thereof and interest thereon when due, the District shall apply funds from operations or other available funds of the District to the payment thereof. So much of the surplus arising from the tax hereinabove described and not required for the payment of debt service on outstanding obligations of the District may be used, at the discretion of the Board of Trustees of the District, for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school building or facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with the work, and the purchase of school buses and school transportation equipment, and all other operations and maintenance of schools in the District.

SECTION 6. The Board of Trustees is authorized to pledge to the payment of the bonds all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (b) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (c) any other fund received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 7. The bonds, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 8. The District is further authorized, by resolution of the Board of Trustees, to borrow money and issue its bonds for the purpose of refunding the bonds authorized herein, at or prior to maturity, in

whole or in part, at any time, in accordance with the terms hereof.

SECTION 9. The District is further authorized, by resolution of the Board of Trustees, to issue and sell notes of the District in anticipation of the issuance of the bonds authorized herein. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding three (3) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 10. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to the bonds and indebtedness, and the outstanding bonds and indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax hereby required to be continued to be levied. In such event, the remaining tax shall continue to be collected by the Gibson County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the Gibson County Board of Education until such bonds and indebtedness have been paid in full; provided that, if a county-wide property tax is enacted for school purposes by the Gibson County Board of County Commissioners and the proceeds thereof are distributed in such a way as to be available to pay principal of and interest and redemption premiums on the bonds and other indebtedness, or other funds are available to pay the principal, premium and interest, the tax herein levied may be reduced by the Board of Trustees to an amount which, together with the other taxes and funds is sufficient to pay the principal, premium and interest.

SECTION 11. If any provision(s) of this Act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it, but shall have no application, and no tax shall be levied or collected nor shall any bonds authorized hereunder be issued or sold until the United States District Court for the Western District of Tennessee shall by order approve the construction and location of the new Medina Elementary School and other projects contained in the Gibson County Special School District capital projects plan.

Passed: May 28, 1999.

Private Acts of 2005 Chapter 73

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

SECTION 1. The Gibson County School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 178 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the Private Acts of 1993, Chapter 155 of Private Acts of 1994, Chapter 52 of the Private Acts of 1995, Chapter 196 of the Private Acts of 1996, Chapter 55 of the Private Acts of 1999 and all other acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of Trustees of the District, bonds in the aggregate principal amount of not to exceed three million dollars (\$3,000,000) for the purpose of providing funds (i) for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interest therein, necessary in connection with the work, and the purchase of school buses and school transportation equipment, (ii) for the funding of all accounts and funds, including a debt service reserve fund, necessary and proper in connection with the issuance and sale of the bonds as the Board of Trustees

of the District shall determine, (iii) for the payment of interest on the bonds during the period of construction and for six (6) months thereafter, and (iv) for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the District's Board of Trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of Trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest (or, if all or any part of such bonds is to be sold at a zero (0) rate of interest or at an original issue discount, such bonds may be sold at not less than ninety-eight percent (98%) of the original reoffering price of such bonds, plus accrued interest). In connection with the issuance of the bonds, the District may authorize and enter into interest rate swap or exchange agreements, agreements establishing interest rate floors or ceilings or both, and other interest rate hedging agreements under such terms and conditions as the Board of Trustees may determine, including, without limitation, provisions permitting the District to pay to or receive from any person or entity any loss of benefits under any such agreement upon early termination thereof or default thereunder. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds and delegate the power to consummate all such acts and execute the implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Trustees authorizing the bonds.

SECTION 4. The Board of Trustees is hereby authorized to pledge such taxes levied on taxable property located within the boundaries of the District as necessary to pay the principal of and interest and any redemption premiums on the bonds and any other indebtedness of the District, being a portion of the existing taxes, and not an increase therein. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee, in the manner provided by general law for the extension and collection of the county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes.

SECTION 5. For the purpose of paying principal of and interest and any redemption premiums on the bonds herein authorized and any other indebtedness of the District, there is hereby levied, in addition to any tax currently being levied within the boundaries of the District for the benefit of the District, a property tax of fourteen cents (14¢) on every one hundred dollars (\$100) of real and personal property located within the District, such tax to take effect January 1 of the tax year immediately following the issuance of the bonds and each tax year thereafter. This rate is established to provide tax revenues sufficient to pay principal of and interest on the bonds as they come due, assuming current interest rates and approximately equal annual debt service requirements over the term of the bonds. If the annual debt service requirements on the bonds should be less than anticipated by the establishment of the tax rate herein, either because the District issues fewer than all the bonds authorized herein or the interest rates on the bonds are materially different from currently applicable rates, or both, the tax rate hereinabove established shall be reduced to a rate which will produce tax revenues in an amount sufficient to pay debt service on the bonds. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Tennessee Code Annotated, Section 67-5-1704, relating to county-wide reappraisal. In addition, in the event the total assessed value of all property subject to the tax hereinabove described declines by more than ten percent (10%) from January 1 of any year to January 1 of the next succeeding year or declines by more than fifteen (15%) from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the Board of Trustees, the county assessor of property shall certify to the county trustee and the Board of Trustees the total assessed value of taxable property within the District and furnish the county trustee and the Board of Trustees an estimate of the total assessed value of all new construction and improvements not included on the assessment roll of the base year and all deletions from the assessment roll of the base year. Upon receipt of the information and certifications, the county trustee shall adjust the tax rate established herein to an adjusted rate which is estimated to provide to the District the same tax revenue as was provided by the tax in the base year, exclusive of such new construction, improvements and deletions, in accordance with

policies established by the state board of equalization pursuant to Tennessee Code Annotated, Section 67-5-1701(b), or any successor thereto. The taxes shall be used exclusively to pay principal and interest and any redemption premium on the bonds authorized herein and any other indebtedness of the District as they become due and to maintain debt service fund balances. The Board of Trustees is hereby authorized to pledge such tax to pay the principal of and interest and any redemption premiums on the bonds and any other indebtedness of the District. The taxes shall be annually extended and collected by the county trustee of Gibson County in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. In the event the property taxes and such other funds as shall be pledged to the payment of the indebtedness of the District are not sufficient to pay principal thereof and interest thereon when due, the District shall apply funds from operations or other available funds of the District to the payment thereof. So much of the surplus arising from the tax hereinabove described and not required for the payment of debt service on outstanding obligations of the District shall first be used to fund any debt service reserve fund established by the Board of Trustees, and may thereafter be used, at the discretion of the Board of Trustees of the District, for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school building and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with the work, and the purchase of school buses and school transportation equipment, and all other operations and maintenance of schools in the District.

SECTION 6. The Board of Trustees is authorized to pledge to the payment of the bonds all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 7. The bonds, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 8. The District is further authorized, by resolution of the Board of Trustee, to borrow money and issue its bonds for the purpose of refunding the bonds authorized herein, at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof.

SECTION 9. The District is further authorized, by resolution of the Board of Trustees, to issue and sell notes of the District in anticipation of the issuance of the bonds authorized herein. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding three (3) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such act and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 10. In the event that funds available to the District are at any time projected by the Board of Trustees of the District to be insufficient to pay debt service on the Bonds during the twelve-month period beginning on the date of such projection; then the Board of Trustees shall certify such projections to the Comptroller of the Treasury of the State of Tennessee, and the Comptroller shall notify the General Assembly of such deficiency, whereupon the General Assembly shall use its best efforts to cause the passage of legislation increasing the tax levy of the District to an amount sufficient to provide for the payment of debt service on the Bonds.

SECTION 11. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to the bonds and indebtedness, and the outstanding bonds and indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax hereby required to be continued to be levied. In such event, the remaining

tax shall continue to be collected by the Gibson County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the Gibson County Board of Education until such bonds and indebtedness have been paid in full; provided that, if a county-wide property tax is enacted for school purposes by the Gibson County Board of County Commissioners and the proceeds thereof are distributed in such a way as to be available to pay principal of and interest and redemption premiums on the bonds and other indebtedness, or other funds are available to pay the principal, premium and interest, the tax herein levied may be reduced by the Board of Trustees to an amount which, together with the other taxes and funds is sufficient to pay the principal, premium and interest.

SECTION 12. If any provision or provisions of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 27, 2005.

Private Acts of 2007 Chapter 59

SECTION 1. The Gibson County School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 178 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the Private Acts of 1993, Chapter 155 of Private Acts of 1994, Chapter 52 of the Private Acts of 1995, Chapter 63 of the Private Acts of 1995, Chapter 79 of the Private Acts of 1995, Chapter 196 of the Private Acts of 1996, Chapter 55 of the Private Acts of 1999, Chapter 73 of the Private Acts of 2005 and all other acts amendatory thereto, if any (the "Act of Incorporation"), is hereby authorized and empowered to issue and sell, by resolution of the board of trustees of the district, bonds in the aggregate principal amount of not to exceed twenty-three million dollars (\$23,000,000) for the purpose of providing funds to pay or reimburse the district for the prior payment (i) for the construction of a new high school building and facilities in Medina, Tennessee, including all related improvements, furnishings, fixtures and equipment and including the purchase of all property, real and personal, or interests therein, necessary in connection with the work and additions thereto, (ii) for the purchase of computers and related software for use throughout the district, (iii) for the purchase and installation of fire alarm systems, (iv) for financing other capital needs throughout the district, (v) for the funding of all accounts and funds, including a debt service reserve fund, necessary and proper in connection with the issuance and sale of the bonds as the board of trustees of the district shall determine, (vi) for the payment of interest on the bonds during the period of construction and for six (6) months thereafter, and (vii) for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dated dates, may bear interest at a zero percent (0%) rate or at such other rate or rates not to exceed six percent (6.0%) per annum (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the district's board of trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the district's board of trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest, exclusive of original issue discount. The board of trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds (including without limitation agreements with any provider of municipal bond insurance for the bonds and agreements with the State of Tennessee or its agencies for credit enhancement) and delegate the power to consummate all such acts and execute the implement all such agreements on its behalf as the board of trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the district's board of trustees authorizing the bonds.

SECTION 4. The board of trustees is hereby authorized to pledge such existing taxes as are currently levied on taxable property located within the boundaries of the district as necessary to pay the principal of and interest and any redemption premiums on the bonds and any other indebtedness of the district. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee, in the manner provided by general law for the extension and collection of the county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes.

SECTION 5. For the purpose of paying principal of and interest and any redemption premiums on the bonds herein authorized and any other indebtedness of the district, there is hereby levied, in addition to any tax currently being levied within the boundaries of the district for the benefit of the district, a property tax of sixty cents (\$0.60) on every one hundred dollars (\$100) of real and personal property located within the district, such tax to be effective for the 2007 tax year and each tax year thereafter. This rate is established to provide tax revenues sufficient to pay principal of and interest on the bonds as they come due. If at the time of issuance, the annual debt service requirements on the bonds should be less than anticipated by the establishment of the tax rate herein, the tax rate levied by this Section 5 shall be reduced to a rate which will produce tax revenues in an amount sufficient to pay debt service on the bonds. If such reduction is the result of the issuance of less than the full amount of bonds authorized hereunder and debt service requirements are increased by a subsequent emission of bonds, the original tax rate levied by this Section 5 shall be imposed effective the tax year in which such subsequent emission occurs. If at the time of such subsequent emission, the annual debt service requirements on all the bonds issued hereunder is less than anticipated by the establishment of the tax rate herein, the tax rate levied by this Section 5 shall be reduced to a rate which will produce tax revenues in an amount sufficient to pay debt service on the bonds. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Tennessee Code Annotated, Section 67-5-1704, relating to county-wide reappraisal. In addition, in the event the total assessed value of all property subject to the tax hereinabove described declines by more than ten percent (10%) from January 1 of any year to January 1 of the next succeeding year or declines by more than fifteen percent (15%) from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the board of trustees, the county assessor of property shall certify to the county trustee and the board of trustees the total assessed value of taxable property within the district and furnish the county trustee and the board of trustees an estimate of the total assessed value of all new construction and improvements not included on the assessment roll of the base year and all deletions from the assessment roll of the base year. Upon receipt of the information and certifications, the county trustee shall adjust the tax rate established herein to an adjusted rate which is estimated to provide to the district the same tax revenue as was provided by the tax in the base year, exclusive of such new construction, improvements and deletions, in accordance with policies established by the state board of equalization pursuant to Tennessee Code Annotated, Section 67-5-1701(b), or any successor thereto. The taxes shall be used exclusively to pay principal and interest and any redemption premium on the bonds authorized herein and any other indebtedness of the district as they become due and to maintain debt service fund balances. The board of trustees is hereby authorized to pledge such tax to pay the principal of and interest and any redemption premiums on the bonds and any other indebtedness of the district. The taxes shall be annually extended and collected by the county trustee of Gibson County in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. In the event the property taxes and such other funds as shall be pledged to the payment of the indebtedness of the district are not sufficient to pay principal thereof and interest thereon when due, the district shall apply funds from operations or other available funds of the district to the payment thereof. So much of the surplus arising from the tax hereinabove described and not required for the payment of debt service on outstanding obligations of the district shall first be used to fund any debt service reserve fund established by the board of trustees, and may thereafter be used, at the discretion of the board of trustees of the district, for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school building and facilities, and additions thereto, in and for the district, including the purchase of all property, real and personal, or interests therein, necessary in connection with the work, and the purchase of school buses and school transportation equipment, and all other operations and maintenance of schools in the district.

SECTION 6. The board of trustees is authorized to pledge to the payment of the bonds all or a portion of (i) any funds received by the district under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (ii) its share of the local option sales and use tax now or hereafter levied and collected in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 7. The bonds, and all income therefrom, shall be exempt from all state, county and municipal

taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 8. The district is further authorized, by resolution of the board of trustees, to borrow money and issue its bonds for the purpose of refunding the bonds authorized herein, at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof.

SECTION 9. The District is further authorized, by resolution of the board of trustees, to issue and sell notes of the district in anticipation of the issuance of the bonds authorized herein. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding five (5) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the board of trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the board of trustees. The board of trustees of the district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the board of trustees shall deem necessary or desirable.

SECTION 10. In the event that funds available to the district are at any time projected by the board of trustees of the district to be insufficient to pay debt service on the bonds during the twelve-month period beginning on the date of such projection; then the board of trustees shall certify such projections to the comptroller of the treasury of the State of Tennessee, and the comptroller shall notify the general assembly of such deficiency, whereupon the general assembly shall use its best efforts to cause the passage of legislation increasing the tax levy of the district to an amount sufficient to provide for the payment of debt service on the bonds.

SECTION 11. In the event that the laws creating the district are repealed or the district is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the district, shall remain in full force and effect with respect to the real and personal property within the district to the extent necessary to satisfy the district's debt service requirements with respect to the bonds and indebtedness, and the outstanding bonds and indebtedness of the district shall remain binding and valid obligations of the district the same to be paid out of funds collected in respect of the tax hereby required to be continued to be levied. In such event, the remaining tax shall continue to be collected by the Gibson County trustee and funds collected in respect thereof shall be paid in respect of the district's outstanding bonds and indebtedness by the Gibson County Board of Education until such bonds and indebtedness have been paid in full; provided that, if a county-wide property tax is enacted for school purposes by the Gibson County Board of County Commissioners and the proceeds thereof are distributed in such a way as to be available to pay principal of and interest and redemption premiums on the bonds and other indebtedness, or other funds are available to pay the principal, premium and interest, the tax herein levied may be reduced by the board of trustees to an amount which, together with the other taxes and funds is sufficient to pay the principal, premium and interest.

SECTION 12. If any provision or provisions of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and to that end the provisions of this act are declared to be severable.

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: June 12, 2007.

Private Acts of 2007 Chapter 60

SECTION 1. The Gibson County School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981; Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 178 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the Private Acts of 1993, Chapter 155 of the Private Acts of 1994, Chapter 62 of the Private Acts of 1995, Chapter 63 of the Private Acts of 1995, Chapter 79 of the Private Acts of 1995, Chapter 196 of the Private Acts of 1996, Chapter 55 of the Private Acts of 1999, Chapter 73 of the Private Acts of 2005 and all other acts amendatory thereto, if any, is amended by changing the name of the district. The district shall

hereafter be known and designated as the "Gibson County Special School District".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: June 12, 2007.

Private Acts of 2010 Chapter 68

SECTION 1. The Gibson County Special School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981; Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 178 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the Private Acts of 1993, Chapter 155 of the Private Acts of 1994, Chapter 52 of the Private Acts of 1995, Chapter 63 of the Private Acts of 1995, Chapter 79 of the Private Acts of 1995, Chapter 196 of the Private Acts of 1996, Chapter 55 of the Private Acts of 1999, Chapter 73 of the Private Acts of 2005, Chapter 59 of the Private Acts of 2007, Chapter 60 of the Private Acts of 2007, and all other Acts amendatory thereto, if any, is hereby authorized and empowered to issue and sell, by resolution of the Board of Trustees of the District, bonds or notes, to enter into loan agreements with the State of Tennessee, federal government, or to provide for the matching portion any grants of the state or federal government (the "District's Obligations") in the aggregate principal amount of not to exceed three million two hundred thousand dollars (\$3,200,000) for the purpose of providing funds to: (A) pay, or reimburse the District for the prior payment of (i) the construction costs of school buildings and facilities located in the District, including all related improvements, furnishings, fixtures and equipment and including the purchase of all property, real and personal, or interests therein, necessary in connection with the work and additions thereto, (ii) the costs of purchasing computers and related software for use throughout the District, (iii) the costs of purchasing and installing fire alarm systems, (iv) the costs of other capital improvements throughout the District, (v) interest on the bonds during the period of construction and for six (6) months thereafter, and (vi) all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds; and (B) fund all accounts and funds, including a debt serve reserve fund, necessary and proper in connection with the issuance and sale of the bonds, notes, loan agreements or matching grants, all as the Board of Trustees of the District shall determine.

SECTION 2. The District's Obligations may be issued in tax-exempt or taxable form as provided by federal law, may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates (which may vary from time to time), not to exceed the maximum rate as permitted by state law, may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the District's Board of Trustees. The District's Obligations shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the District's Obligations (including without limitation agreements with any provider of municipal bond insurance for the bonds and agreements with the State of Tennessee or its agencies for credit enhancement) and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 3. The District's Obligations, if issued as bonds or notes, shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Trustees authorizing the District's Obligations.

SECTION 4. The Board of Trustees is hereby authorized to pledge such existing taxes as are currently levied on taxable property located within the boundaries of the District as necessary to pay the principal of and interest and any redemption premiums on the District's Obligations and on any other indebtedness of the District. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes.

SECTION 5. For the purpose of paying principal of and interest and any redemption premiums on the District's Obligations herein authorized and on any other indebtedness of the District, and to provide for additional funding of District's school operations, there is hereby levied, in addition to any tax currently

being levied within the boundaries of the District for the benefit of the District, a property tax rate of forty cents (\$0.40) on every one hundred dollars (\$100) of taxable property located within the District, such tax rate to be levied effective in the 2011 tax year and each year thereafter. This rate is established to provide tax revenues sufficient to pay principal of and interest on the District's Obligations as they come due and for the District's school operations. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Tennessee Code Annotated, Section 67-5-1704, relating to county-wide reappraisal. In addition, in the event the total assessed value of all property subject to the tax hereinabove described declines by more than ten percent (10%) from January 1 of any year to January 1 of the next succeeding year or declines by more than fifteen percent (15%) from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the Board of Trustees, the county assessor of property shall certify to the county trustee and the Board of Trustees the total assessed value of taxable property within the District and furnish the county trustee and the Board of Trustees an estimate of the total assessed value of all new construction and improvements not included on the assessment roll of the base year and all deletions from the assessment roll of the base year. Upon receipt of said information and certifications, the county trustee shall adjust the tax rate established herein to an adjusted rate which is estimated to provide to the District the same tax revenue as was provided by the tax in the base year, exclusive of such new construction, improvements and deletions, in accordance with policies established by the state board of equalization pursuant to Tennessee Code Annotated, Section 67-5-1701(b), or any successor thereto. The taxes shall be used exclusively to pay principal and interest and any redemption premium on the District's Obligations authorized herein and any other indebtedness of the District as they become due and to maintain debt service fund balances and to pay for the District's school operations. The Board of Trustees is hereby authorized to pledge such tax to pay the principal of and interest and any redemption premiums on the District's Obligations and any other indebtedness of the District. The taxes shall be annually extended and collected by the county trustee of Gibson County in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. In the event the property taxes and such other funds as shall be pledged to the payment of the indebtedness of the District are not sufficient to pay principal thereof and interest thereon when due, the District shall apply funds from operations or other available funds of the District to the payment thereof. So much of the surplus arising from the tax hereinabove described and not required for the payment of debt service on outstanding obligations of the District shall first be used to fund any debt service reserve fund established by the Board of Trustees, and may thereafter be used, at the discretion of the Board of Trustees of the District, to fund capital improvements for the District or school operating costs.

SECTION 6. The District's Board of Trustees is further authorized to pledge to the payment of the District's Obligations, and any other indebtedness of the District, all or a portion of (I) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (ii) its share of the local option sales and use tax now or hereafter levied and collected in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 7. The District's Obligations, and all income therefrom, shall be exempt for all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 8. The District is further authorized, by resolution of the Board of Trustees, to borrow money and issue its debt obligations for the purpose of refunding the obligations authorized herein, at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof.

SECTION 9. The District is further authorized, by resolution of the Board of Trustees, to issue and sell notes of the District in anticipation of the issuance of other obligations authorized herein. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding five (5) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes

and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

(a) Revenue anticipation notes of the District in anticipation of the collection or receipt of taxes or other revenues of any type. The aggregate par amount of the notes issued within any fiscal year may not exceed ten percent (10%) of the taxes, revenues and any other funds remitted to or collected by the District in the prior fiscal year. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times but not later than the ninetieth day following the fiscal year in which such notes are issued, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be payable from, but not secured by, all property taxes imposed by the District and all other revenues collected by the District, as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

(b) Grant anticipation notes of the District in anticipation of the receipt of grant monies from the State of Tennessee or the United States government. The aggregate par amount of the notes issued at any time may not exceed the amount of grant proceeds committed to the District in writing. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times but not later than three (3) years following the date of issuance, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be payable from, but not secured by, grant proceeds and all property taxes imposed by the District and all other revenues collected by the District, as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 11. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and other obligations of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to the bonds and other obligations, and the outstanding bonds and other obligations of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax hereby required to be continued to be levied. In such event, the remaining tax shall continue to be collected by the Gibson County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and other obligations by the Gibson County Special School District Board of Education until such bonds and other obligations have been paid in full; provided that, if a county-wide property tax is enacted for school purposes by the Gibson County Board of County Commissioners and the proceeds thereof are distributed in such a way as to be available to pay principal of and interest and redemption premiums on said bonds and other obligations, or other funds are available to pay said principal, premium and interest, the tax herein levied may be reduced by the Board of Trustees to an amount which, together with said other taxes and funds is sufficient to pay said principal, premium and interest.

SECTION 12. If required in connection with the issuance of the District's Obligations, the District may enter into an agreement with the State of Tennessee, permitting it to intercept and retain funds of the District in order to pay and further secure the payment of the District's Obligations; provided, that any such agreement shall not impair the rights of any of the holders of any of the District's existing indebtedness.

SECTION 13. In the event that funds available to the District are at any time projected by the Board of Trustees of the District to be insufficient to pay debt service on the District's Obligations during the twelve-month period beginning on the date of such projection, the Board of Trustees shall certify such projections to the comptroller of the treasury. The comptroller shall verify whether and to what extent a deficiency exists and shall notify the Board of Trustees accordingly. If a deficiency exists, the comptroller

shall advise the Board of Trustees to file a request with the General Assembly to increase the tax levy of the District to an amount sufficient to provide for the payment of debt service on the District's Obligations.

SECTION 14. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 15. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 29, 2010.

Private Acts of 2013 Chapter 5

SECTION 1. The Gibson County Special School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981; as amended by Chapter 181 of the Private Acts of 1981; Chapter 342 of the Private Acts of 1982; Chapter 241 of the Private Acts of 1984; Chapter 152 of the Private Acts of 1986; Chapter 178 of the Private Acts of 1986; Chapter 62 of the Private Acts of 1987; Chapter 107 of the Private Acts of 1987; Chapter 113 of the Private Acts of 1989; Chapter 79 of the Private Acts of 1993; Chapter 155 of the Private Acts of 1994; Chapter 52 of the Private Acts of 1995; Chapter 63 of the Private Acts of 1995; Chapter 79 of the Private Acts of 1995; Chapter 196 of the Private Acts of 1996; Chapter 55 of the Private Acts of 1999; Chapter 73 of the Private Acts of 2005; Chapter 59 of the Private Acts of 2007; Chapter 60 of the Private Acts of 2007; Chapter 68 of the Private Acts of 2010; and all other Acts amendatory thereto, if any (the "Act of Incorporation"), is hereby authorized and empowered to issue and sell, by resolution of the Board of Trustees of the District, bonds or notes, enter into loan agreements with the State of Tennessee, federal government, or to provide for the matching portion any grants of the state or federal government (the "District's Obligations") in the aggregate principal amount of not to exceed three million dollars (\$3,000,000) for the purpose of providing funds to: (A) pay or reimburse the District for the prior payment of (i) the construction costs of school buildings and facilities located in the District, including all related improvements, furnishings, fixtures and equipment and including the purchase of all property, real and personal, or interests therein, necessary in connection with said work and additions thereto, (ii) the purchase of computers and related software for use throughout the District, (iii) the costs of other capital improvements throughout the District, (iv) interest on the bonds during the period of construction and for six (6) months thereafter, and (v) all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds; and (B) fund all accounts and funds, including a debt service reserve fund, necessary and proper in connection with the issuance and sale of the bonds, notes, loan agreements or matching grants, all as the Board of Trustees of the District shall determine.

SECTION 2. The District's Obligations may be issued in tax-exempt or taxable form as provided by federal law, may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dated dates, may bear interest at a zero (0) rate or at such other rate or rates not to exceed the maximum rate as permitted by state law (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium and may provide for the replacement of mutilated, destroyed or lost bonds, all as may be provided by resolution of the District's Board of Trustees. The District's Obligations shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the District's Obligations (including without limitation agreements with any provider of municipal bond insurance for the bonds and agreements with the State of Tennessee or its agencies for credit enhancement) and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 3. The District's Obligations, if issued as bonds or notes, shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Trustees authorizing the District's Obligations.

SECTION 4. The District's Board of Trustees is hereby authorized to pledge such existing taxes as are currently levied on taxable property located within the boundaries of the District as necessary to pay the principal of and interest and any redemption premiums on the District's Obligations and on any other indebtedness of the District, and all such existing tax levies are hereby ratified and approved. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien

on the property against which they are levied with the like force and effect as do county taxes. Notwithstanding anything in the Act of Incorporation to the contrary, said existing taxes shall not be subject to reduction if such reduction would cause the District to be unable to pay debt service on the District's Obligations or other indebtedness of the District.

SECTION 5. The District's Board of Trustees is further authorized to pledge to the payment of the District's Obligations, and any other indebtedness of the District, all or a portion of (a) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (b) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (c) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 6. The District's Obligations, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 7. The District is further authorized, by resolution of the Board of Trustees, to borrow money and issue its debt obligations for the purpose of refunding the obligations authorized herein, at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof.

SECTION 8. The District is further authorized, by resolution of the Board of Trustees, to issue and sell notes of the District in anticipation of the issuance of other obligations authorized herein. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding five (5) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 9. The District is further authorized, by resolution of the Board of Trustees, to issue and sell from time to time:

(a) Revenue anticipation notes of the District in anticipation of the collection or receipt of taxes or other revenues of any type. The aggregate par amount of the notes issued within any fiscal year may not exceed ten percent (10%) of the taxes, revenues and any other funds remitted to or collected by the District in the prior fiscal year. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times but not later than the ninetieth day following the fiscal year in which such notes are issued, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be payable from, but not secured by, all property taxes imposed by the District and all other revenues collected by the District, as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

(b) Grant anticipation notes of the District in anticipation of the receipt of grant monies from the State of Tennessee or the United States government. The aggregate par amount of the notes issued at any time may not exceed the amount of grant proceeds committed to the District in writing. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times but not later than three (3) years following the date of issuance, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be

provided by resolution of the Board of Trustees. The notes shall be payable from, but not secured by, grant proceeds and all property taxes imposed by the District and all other revenues collected by the District, as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 10. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and other obligations of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said bonds and other obligations, and the outstanding bonds and other obligations of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax hereby required to be continued to be levied. In such event, the said remaining tax shall continue to be collected by the Gibson County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and other obligations by the Gibson County Board of Education until such bonds and other obligations have been paid in full; provided that, if a county-wide property tax is enacted for school purposes by the Gibson County Board of County Commissioners and the proceeds thereof are distributed in such a way as to be available to pay principal of and interest and redemption premiums on said bonds and other obligations, or other funds are available to pay said principal, premium and interest, the tax herein levied may be reduced by the Board of Trustees to an amount which, together with said other taxes and funds is sufficient to pay said principal, premium and interest.

SECTION 11. If required in connection with the issuance of the District's Obligations, the District may enter into an agreement with the State of Tennessee, permitting it to intercept and retain funds of the District in order to pay and further secure the payment of the District's Obligations; provided that any such agreement shall not impair the rights of any of the holders of any of the District's existing indebtedness.

SECTION 12. In the event that funds available to the District are at any time projected by the Board of Trustees of the District to be insufficient to pay debt service on the District's Obligations during the twelve (12) month period beginning on the date of such projection, the Board of Trustees shall certify such projections to the Comptroller of the Treasury of the State of Tennessee, and the Comptroller shall request the General Assembly to increase the tax levy of the District to an amount sufficient to provide for the payment of debt service on the District's Obligations.

SECTION 13. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: February 28, 2013.

Private Acts of 2015 Chapter 3

SECTION 1. Gibson County Special School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 178 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the Private Acts of 1993, Chapter 155 of the Private Acts of 1994, Chapter 52 of the Private Acts of 1995, Chapter 63 of the Private Acts of 1995, Chapter 79 of the Private Acts of 1995, Chapter 196 of the Private Acts of 1996, Chapter 55 of the Private Acts of 1999, Chapter 73 of the Private Acts of 2005, Chapter 59 of the Private Acts of 2007, Chapter 60 of the Private Acts of 2007, Chapter 68 of the Private Acts of 2010, Chapter 5 of the Private Acts of 2013, and any other amendatory acts thereto, is hereby authorized to borrow money by issuing its bonds and notes in the manner provided below:

(a) The District is hereby authorized and empowered to issue and sell, by resolution of its Board, school bonds for the purpose of providing funds to pay or reimburse the District (i) for the acquisition of land and site preparation for and the construction, improvement, renovation, expansion, furnishing, fixturing, and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or

interests therein, necessary in connection with said work, (ii) for the purchase of computers and related software for use throughout the District, (iii) for the costs of other capital improvements throughout the District, (iv) for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds and notes as the Board shall determine, (v) for the payment of interest on the bonds and notes during the period of construction and for six (6) months thereafter, and (vi) for the payment of all legal, fiscal, administrative, architectural, engineering, accounting, and similar professional and other costs incident thereto and to the issuance and sale of the bonds and notes. The maximum aggregate principal amount of school bonds authorized to be issued shall be limited to three million dollars (\$3,000,000). No public referendum or election of the voters of the District shall be necessary in order for the District to issue and sell the bonds and/or notes authorized pursuant to this subsection.

(b) The bonds and notes may be sold at competitive rates or negotiated at such times, in such amounts, and with such terms as may be approved by resolution of the Board; provided, that the maximum maturity of any bond or note issue shall not exceed thirty-five (35) years from issuance and the rate or rates of the bonds and notes shall not exceed the maximum rate permitted by Tennessee law. The Board of the District is authorized and empowered to do and perform all acts and enter into all agreements that may be necessary or desirable in connection with the issuance and sale of the bonds and notes and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(c) The District is further authorized, by resolution of its Board, to issue and sell notes of the District in anticipation of the issuance of other obligations authorized herein. The notes shall mature at such time or times, not exceeding five (5) years from their respective dated dates, and shall be sold in such manner and upon such terms as shall be provided by resolution of the Board.

(d) The District is further authorized, by resolution of its Board, to borrow money and issue its bonds for the purpose of refunding the bonds and notes authorized herein or that may have been previously issued by the District. The refunding bonds shall be sold at such times, in such manner, and upon such terms as shall be provided by resolution of the Board.

(e) The District is further authorized, by resolution of the Board, to issue and sell from time to time revenue anticipation notes of the District in anticipation of the collection or receipt of taxes or other revenues of any type. The aggregate par amount of the notes issued within any fiscal year may not exceed ten percent (10%) of the taxes, revenues, and any other funds remitted to or collected by the District in the prior fiscal year. The notes may be sold at such times, in such manner, and upon such terms as may be provided by resolution of the Board; provided, that any such notes shall mature not later than the ninetieth day following the fiscal year in which such notes are issued.

(f) The District is further authorized, by resolution of the Board, to issue and sell from time to time grant anticipation notes of the District in anticipation of the receipt of grant monies from the State of Tennessee or the United States government. The aggregate par amount of the notes issued at any time may not exceed the amount of grant proceeds committed to the District in writing. The notes may be sold at such times, in such manner, and upon such terms as may be provided by resolution of the Board.

(g) The Board of the District is authorized and empowered to do and perform all acts and enter into all agreements that may be necessary or desirable in connection with the issuance and sale of the bonds and notes authorized herein and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(h) The bonds and notes authorized hereunder shall be issued in fully registered form and shall be executed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the Board.

(i) Any bonds or notes issued hereunder shall be paid from the taxes levied by authority of the Act of Incorporation. Notwithstanding any provision of the Act of Incorporation to the contrary, all taxes levied pursuant thereto are specifically authorized to be used to pay the principal of and interest on any bonds and/or notes issued pursuant to this subsection. The Board of the District is hereby authorized to pledge such taxes as necessary to pay the principal of and interest on the bonds and notes authorized herein. The taxes shall constitute a lien on the property against which they are levied with the like force in effect as due county taxes. Grant anticipation notes shall also

be payable from the proceeds of the anticipated grant.

(j) The Board is also authorized, but not required, to pledge to the payment of the bonds and notes all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies, or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

(k) The bonds and notes and all income therefrom shall be exempt from all state, county, and municipal taxation in the State of Tennessee, except inheritance, transfer, and estate taxes and except as otherwise provided by applicable law.

SECTION 2. No additional tax is hereby levied. There are hereby affirmed the property taxes heretofore levied by the Act of Incorporation at the rates set forth therein, subject to the procedures set forth in Tennessee Code Annotated, Section 67-5-1704, relating to county-wide reappraisal. Said taxes shall be pledged and applied first to pay principal of and interest on the bonds and notes issued by the District. Any amounts in excess thereof may be used, at the discretion of the Board of Education of the District, for any and all capital and/or operating expenses of the District.

SECTION 3. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said bonds and indebtedness, and the outstanding bonds and indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax herein authorized. In such event, the said remaining tax shall continue to be collected by the Gibson County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the District until such bonds and indebtedness have been paid in full.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 9, 2015

Private Acts of 2016 Chapter 42

SECTION 1. Gibson County Special School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 178 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the Private Acts of 1993, Chapter 155 of the Private Acts of 1994, Chapter 52 of the Private Acts of 1995, Chapter 63 of the Private Acts of 1995, Chapter 79 of the Private Acts of 1995, Chapter 196 of the Private Acts of 1996, Chapter 55 of the Private Acts of 1999, Chapter 73 of the Private Acts of 2005, Chapter 59 of the Private Acts of 2007, Chapter 60 of the Private Acts of 2007, Chapter 68 of the Private Acts of 2010, Chapter 5 of the Private Acts of 2013, Chapter 3 of the Private Acts of 2015, and any other amendatory acts thereto (the "Act of Incorporation"), is hereby authorized to borrow money by issuing its bonds and notes in the manner provided below:

(a) The District is hereby authorized and empowered to issue and sell, by resolution of its Board, school bonds and/or notes for the purpose of providing funds to pay or reimburse the District (i) for the acquisition of land and site preparation for and the construction, improvement, renovation, repair, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, (ii) for the purchase of computers and related software for use throughout the District, (iii) for the costs of other capital improvements throughout the District, (iv) for the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds and notes as the Board shall determine, (v) for the payment of interest on the bonds and notes during the period of construction and for six (6)

months thereafter and (vi) for the payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bonds and notes. The maximum aggregate principal amount of school bonds and notes authorized to be issued pursuant to this subsection shall be limited to eighteen million five hundred thousand dollars (\$18,500,000). No public referendum or election of the voters of the District shall be necessary in order for the District to issue and sell the bonds and/or notes authorized pursuant to this Act.

(b) The bonds and notes may be sold at competitive or negotiated sale at such times, in such amounts and with such terms as may be approved by resolution of the Board; provided, that the maximum maturity of said bond or note issues shall not exceed thirty-five (35) years from the issuance thereof and the rate or rates of the bonds and notes shall not exceed the maximum rate permitted by Tennessee law.

(c) The District is further authorized, by resolution of its Board, to issue and sell notes of the District in anticipation of the issuance of other obligations authorized herein. The notes shall mature at such time or times, not exceeding five (5) years from their respective dated dates, and shall be sold in such manner and upon such terms as shall be provided by resolution of the Board.

(d) The District is further authorized, by resolution of its Board, to borrow money and issue its bonds and/or notes for the purpose of refunding the bonds and notes authorized herein or that may have been previously issued by the District. The refunding bonds and/or notes shall be sold at such times, in such manner and upon such terms as shall be provided by resolution of the Board.

(e) The District is further authorized, by resolution of the Board, to issue and sell from time to time revenue anticipation notes of the District in anticipation of the collection or receipt of taxes or other revenues of any type. The aggregate par amount of said notes issued within any fiscal year may not exceed ten percent (10%) of the taxes, revenues and any other funds remitted to or collected by the District in the prior fiscal year. The notes may be sold at such times, in such manner and upon such terms as may be provided by resolution of the Board; provided, that any such notes shall mature not later than the ninetieth day following the conclusion of the fiscal year in which such notes are issued.

(f) The District is further authorized, by resolution of the Board, to issue and sell from time to time grant anticipation notes of the District in anticipation of the receipt of grant monies from the State of Tennessee or the United States government. The aggregate par amount of the notes issued at any time may not exceed the amount of grant proceeds committed to the District in writing. The notes may be sold at such times, in such manner and upon such terms as may be provided by resolution of the Board.

(g) The Board is authorized and empowered to do and perform all acts and enter into all agreements that may be necessary or desirable in connection with the issuance and sale of any bonds and notes authorized herein and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(h) The bonds and notes authorized hereunder shall be issued in fully registered form and shall be executed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the Board.

(i) Any bonds or notes issued hereunder shall be paid from the taxes levied by authority of the Act of Incorporation, including as amended herein. Notwithstanding any provision of the Act of Incorporation to the contrary, all taxes levied pursuant thereto and herein are specifically authorized to be used to pay the principal of and interest and premium on any bonds and/or notes issued pursuant to this Act. The Board is hereby authorized to pledge such taxes as necessary to pay the principal of and interest and premium on the bonds and notes authorized herein. The taxes shall constitute a lien on the property against which they are levied with the like force in effect as due county taxes. Grant anticipation notes shall also be payable from the proceeds of the anticipated grant. Taxes levied by the Act of Incorporation, as amended herein, at the rates set forth therein and herein, shall be pledged and applied first to pay principal of and interest and premium on the bonds, notes and other indebtedness issued by the District. Any amounts in excess thereof may be used, at the discretion of the Board, for any and all capital and/or operating expenses of the District. In the event the property taxes and such other funds as shall be pledged to the payment of the indebtedness of the District are not sufficient to pay principal thereof and interest and premium thereon when due, the District shall apply funds from operations or other available funds of the District to the payment thereof.

(j) For the purpose of paying principal of and interest and premium on the bonds and notes herein authorized and any other indebtedness of the District, and to provide for additional funding of District's school operations, there is hereby levied, in addition to any tax currently being levied within the boundaries of the District for the benefit of the District, a property tax rate of forty cents (40¢) on every one hundred dollars (\$100) of taxable property located within the District, such tax rate to be levied effective in the 2016 tax year and each year thereafter. Said rate is established to provide tax revenues sufficient to pay principal of and interest and premium on indebtedness of the District as it becomes due and for any and all capital and/or operating expenses of the District. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Tennessee Code Annotated, Section 67-5-1704, relating to county-wide reappraisal. In addition, in the event the total assessed value of all property subject to the tax hereinabove described declines by more than ten percent (10%) from January 1 of any year to January 1 of the next succeeding year or declines by more than fifteen percent (15%) from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the Board, the county assessor of property shall certify to the county trustee and the Board the total assessed value of taxable property within the District and furnish the county trustee and the Board an estimate of the total assessed value of all new construction and improvements not included on the assessment roll of the base year and all deletions from the assessment roll of the base year. Upon receipt of said information and certifications, the county trustee shall adjust the tax rate established herein to an adjusted rate that is estimated to provide to the District the same tax revenue as was provided by said tax in the base year, exclusive of such new construction, improvements and deletions, in accordance with policies established by the state board of equalization pursuant to Tennessee Code Annotated, Section 67-5-1701 (b), or any successor thereto.

(k) The Board is also authorized, but not required, to pledge to the payment of the bonds and notes all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied, collected, and distributed in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

(l) The bonds and notes and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 2. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said indebtedness, and the outstanding indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax herein authorized. In such event, the said remaining tax shall continue to be collected by the county trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding indebtedness by the District until such indebtedness has been paid in full.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 31, 2016

Private Acts of 2021 Chapter 3

SECTION 1. The Gibson County Special School District, located in Gibson County, Tennessee (the "District"), created by Chapter 62 of the Private Acts of 1981, as amended by Chapter 181 of the Private Acts of 1981, Chapter 342 of the Private Acts of 1982, Chapter 241 of the Private Acts of 1984, Chapter 152 of the Private Acts of 1986, Chapter 178 of the Private Acts of 1986, Chapter 62 of the Private Acts of 1987, Chapter 107 of the Private Acts of 1987, Chapter 113 of the Private Acts of 1989, Chapter 79 of the

Private Acts of 1993, Chapter 155 of the Private Acts of 1994, Chapter 52 of the Private Acts of 1995, Chapter 63 of the Private Acts of 1995, Chapter 79 of the Private Acts of 1995, Chapter 196 of the Private Acts of 1996, Chapter 55 of the Private Acts of 1999, Chapter 73 of the Private Acts of 2005, Chapter 59 of the Private Acts of 2007, Chapter 60 of the Private Acts of 2007, Chapter 68 of the Private Acts of 2010, Chapter 5 of the Private Acts of 2013, Chapter 3 of the Private Acts of 2015, Chapter 42 of the Private Acts of 2016, and any other amendatory acts thereto (collectively, the "Act of Incorporation"), is hereby authorized and empowered to issue and sell, by resolution of the Board of Trustees of the District, bonds in an aggregate principal amount not to exceed five million dollars (\$5,000,000) for the purpose of providing funds to pay, or reimburse the District for (i) the acquisition, construction, renovation, and equipping of new school buildings and facilities in the District, (ii) the funding of all accounts and funds, including a debt service reserve fund, necessary and proper in connection with the issuance and sale of the bonds as the Board of Trustees of the District shall determine, (iii) the payment of interest on the bonds during the period of construction and for six (6) months thereafter, and (iv) the payment of all legal, fiscal, administrative, architectural, engineering, accounting, and similar professional and other costs incident thereto and to the issuance and sale of the bonds.

SECTION 2. The bonds may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding thirty (30) years from their respective dated dates, may bear interest at a zero rate or at such other rate or rates not to exceed six percent (6%) per annum (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed, or lost bonds, all as may be provided by resolution of the District's Board of Trustees. The bonds shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the District's Board of Trustees, but in no event shall the bonds be sold for less than ninety-eight percent (98%) of par plus accrued interest, exclusive of original issue discount. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds (including, without limitation, agreements with any provider of municipal bond insurance for the bonds and agreements with the State of Tennessee or its agencies for credit enhancement) and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 3. The bonds shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Trustees authorizing the bonds.

SECTION 4. The Board of Trustees is hereby authorized to pledge such existing taxes as are currently levied on taxable property located within the boundaries of the District as necessary to pay the principal of and interest and any redemption premiums on the bonds and any other indebtedness of the District. The taxes shall be annually extended and collected by the county trustee of Gibson County, Tennessee, in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes.

SECTION 5. The Board of Trustees is authorized to pledge to the payment of the bonds all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351 et seq., and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Gibson County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies, or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 6. The bonds, and all income therefrom, shall be exempt from all state, county, and municipal taxation in the State of Tennessee, except inheritance, transfer, and estate taxes and except as otherwise provided by applicable law.

SECTION 7. The District is further authorized, by resolution of the Board of Trustees, to borrow money and issue its bonds for the purpose of refunding the bonds authorized herein, at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof.

SECTION 8. The District is further authorized, by resolution of the Board of Trustees, to issue and sell notes of the District in anticipation of the issuance of the bonds authorized herein. The notes may be sold in one (1) or more series, may bear such date or dates, shall mature at such time or times, not exceeding five (5) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium

of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed, or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 9. In the event that funds available to the District are at any time projected by the Board of Trustees of the District to be insufficient to pay debt service on the bonds during the 12-month period beginning on the date of such projection; then the Board of Trustees shall certify such projections to the comptroller of the treasury of the State of Tennessee, and the comptroller shall notify the general assembly of such deficiency, whereupon the general assembly shall use its best efforts to cause the passage of legislation increasing the tax levy of the District to an amount sufficient to provide for the payment of debt service on the bonds.

SECTION 10. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said indebtedness, and the outstanding indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax herein authorized. In such event, the said remaining tax shall continue to be collected by the county trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding indebtedness by the District until such indebtedness has been paid in full.

SECTION 11. If any provision of this act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law, and are declared to be severable.

SECTION 12. This act takes effect upon becoming a law, the public welfare requiring it.

Passed: April 7, 2021

Kenton Special School District

Public Acts of 1947 Chapter 84

SECTION 1. That a Special School District, to be known as "Kenton Special School District", is hereby created and established, with territorial boundaries as follows:

Beginning at a stake in Gibson County, Tennessee, in the middle of Edmonson's Creek on the west side of the bridge where U.S. Highway No. 45 crosses said creek, and thence west with the meanders of said creek to a gravel road on H. H. Taylor Heirs' east line; thence north with said road to the northwest corner of the Fred Norton farm; thence northwestwardly in a straight line to R. L. Caton's southwest corner; thence north to Willie Gravette's northwest corner; thence northwestwardly in a straight line to Grassy Creek at Richard Johns' northeast corner; thence down said creek with its meanders and northerly to the point where Grassy Creek crosses C. B. Verhine's west boundary line; thence north with Verhine's west boundary line; thence north with Verhine's west boundary line to Obion River; thence up said Obion River with its meanders easterly to the confluence with the South Fork of Obion River; thence southeasterly with the meanders of South Fork of Obion River to the west boundary line of Weakley County; thence south with the County line between Weakley and Obion Counties to the north line of Gibson County; thence southeasterly with the County line between Gibson and Weakley Counties to the southeast corner of the C. V. Bell's farm; thence with the south line of the Bell farm and the public road to a stake in the middle of the cross roads at Walnut Grove; thence west to the point of beginning.

As amended by: Public Acts of 1984, Chapter 637

Public Acts of 1986, Chapter 868

SECTION 2. That said Special School District shall be governed by a Board of five (5) Trustees, who shall be elected by the qualified voters in said District at the regular election in August, 1948, and biennially thereafter for a term of two (2) years, two (2) of whom shall be citizens and residents of Gibson County, Tennessee, two (2) of whom shall be citizens and residents of Obion County, Tennessee, and one (1) of whom shall be a citizen and resident of the Town of Kenton, Tennessee. No person shall be eligible to be elected and to serve as Trustee unless, at the time of his election, and during all the period of his service,

he shall be a resident of or own real estate in said District. Every resident within said District and every owner of real estate within said District shall be eligible to vote in the elections of the Trustees, provided that said person shall be otherwise qualified to vote in the regular election in connection with which said election of Trustees will be held.

Notwithstanding the provisions of the first paragraph of this section, the Board of Trustees shall be elected by the qualified voters in said District on the first Tuesday in August, 1997, for a term of one (1) year. Trustees shall again be elected by the qualified voters in the District on the date of the general election in August, 1998 for a term of two (2) years, and biennially thereafter for a term of two (2) years.

Notwithstanding the provisions of the first and second paragraphs of this section, trustees shall be elected to staggered four-year terms of office so that the terms of approximately one-half (½) of the trustees expire every two (2) years. In order to establish staggered terms, the trustee from Gibson County receiving the largest number of votes and the trustee from Obion County receiving the largest number of votes elected at the regular election in August 2004 shall each serve a four-year term of office. The trustee from Gibson County receiving the second largest number of votes and the trustee from Obion County receiving the second largest number of votes elected at the regular election in August 2004 shall each serve a two-year term of office. The trustee from the City of Kenton elected at the regular election in August 2004 shall serve a four-year term of office. Trustees elected in the regular election in August 2004 shall take office on September 9, 2004.

SECTION 3. That the first Board of Trustees shall be: Harry Smith, J. N. Midgett, Joe M. Warren, Fred Norton, and R. C. Tilghman.

SECTION 4. That whenever a vacancy on the Board of Trustees occurs more than thirty (30) days prior to the time fixed by this Act for election of Trustees, such vacancy shall be filled by appointment made by the Trustees, the person so appointed to be a resident or owner of real estate in the same territorial part of the District in which his, or her, predecessor resided.

SECTION 5. That the said First Board of Trustees of said District shall, within fifteen (15) days after this Act becomes effective, meet and elect, from among the members of the Board, a President, Vice-President, and Secretary-Treasurer.

SECTION 6. That the members of the Board of Trustees shall serve without compensation.

SECTION 7. That the Secretary-Treasurer shall be required to enter into bond, with some corporate surety, authorized to do business in Tennessee, in an amount to be fixed by the Board of Trustees, the bond to be payable to the State of Tennessee, for the use of said Kenton Special School District, and conditioned to account for, and pay over all funds of said District which come to his hands.

The premium of the bond shall be paid out of the Administrative Fund of the District.

SECTION 8. That the Board of Trustees shall have power to cause to be erected, and have general supervision and control of the buildings and property belonging to the District; shall have power to lease, or rent, any buildings, or grounds, to the County Board of Education; shall have power to employ and fix the salaries of such teachers and assistants as are not employed by the County Board of Education.

Provided, however, that no provision of this Act shall be so constructed as to conflict with the rights and powers of the County Board of Education.

SECTION 9. That for the purpose of buying or erecting necessary school buildings, furnishings and equipment, paying necessary expenses of maintenance of adequate school facilities, the said Kenton Special School District is hereby authorized and empowered to issue and sell interest bearing coupon bonds, in an aggregate amount not to exceed Seventy-Five Thousand (\$75,000.00) Dollars. Said bonds shall, each, be for the principal, or face, amount of Five Hundred Dollars, and shall mature in such order, and at such time as the Resolution of the Board of Trustees shall provide.

Provided, however, that the power to issue said bonds shall not be exercised until and when a majority of the qualified voters, resident in said District, and voting in an election held for that purpose, have voted in favor of the issuance of said bonds.

SECTION 10. That within not less than 30 days, nor more than 120 days, after this Act becomes effective, the Board of Trustees shall, by resolution, request the Election Commissioners of Gibson and Obion Counties, Tennessee, to call an election, to ascertain the will of the qualified voters of said District on the question of the issuance of the bonds, as provided in Section 9 hereof.

Should the vote in said election be against the issuance of the bonds, a second election may be called, resubmitting the question of the bond issue. Provided, however, that no second, nor subsequent election shall be called nor held until after the expiration of at least six months following the first election.

In said election (first or second) the ballots shall have printed on them on one line "For School Bonds";

and on another line "Against School Bonds". The voter shall indicate his choice by making a mark opposite the words "For School Bonds", or opposite the words "Against School Bonds".

SECTION 11. That the bonds herein provided for shall not be issued nor sold for less than their face value, nor shall they bear interest in excess of five (5) per cent per annum.

SECTION 12. That the avails of sale of the bonds shall be collected and held by the Secretary-Treasurer of the District; and shall be disbursed by him only under orders of the Board of Trustees and by check or voucher signed by the Secretary-Treasurer, and countersigned by the President of the Board of Trustees.

SECTION 13. That for the purpose of providing revenue to pay for the improvements and other expenses necessary and incident to the operation of the school district system there is levied for the year 1984 and for each year thereafter in lieu of any county education tax levy or the tax levy of any other special school district, a tax of one dollar seventy-five cents (\$1.75) on each one hundred dollars (\$100.00) of taxable property, real and personal, within the boundaries of said district.

As amended by:

Public Acts of 1970, Chapter 536

Public Acts of 1984, Chapter 637

Private Acts of 1997, Chapter 78

Private Acts of 2004, Chapter 108

COMPILER'S NOTE: Public Acts of 1984, Chapter 637, provides that it shall not be effective unless and until the boundary increase and tax rate have been approved by the majority of the voters in the district, which approval was given on 6/30/84. However, the Tennessee Supreme Court has held unconstitutional the practice of conditioning the effectiveness of a tax or of an act itself upon local voter approval. Gibson County School District v. Palmer, 691 S.W.2d 544 (Tenn. 1985). The tax rate prior to the 1984 amendment was 100 per \$100 property value, which was set by Public Acts of 1970, Chapter 537. The boundary changes made by the act were deleted by Public Acts of 1986, Chapter 868, which restored the boundary to its position before the 1984 act.

The basis of assessment shall be as applicable to that part of the District in Obion County, the current tax assessment made by Obion County, and as applicable to that part of the District in Gibson County the current assessment made by Gibson County.

All taxes hereby levied, when assessed, shall be a lien on the real and personal property so assessed as of the tenth (10th) day of January, of the year for which assessed.

SECTION 14. That the taxes hereby levied, on property in Obion County, shall be collected by the Trustee of Obion County, Tennessee; and on property in Gibson County, by the Trustee of Gibson County, Tennessee; and the taxes hereby levied shall become and be delinquent as and when State and County taxes become due and delinquent.

All said taxes, when collected, shall be paid over to the Secretary-Treasurer of the Board of Trustees of Kenton Special School District.

One-twentieth (1/20) of the taxes shall be held by the Secretary-Treasurer as an Administrative Fund, to be used and applied in payment of incidental expense of administration.

The remaining nineteen-twentieths (19/20) of said taxes may be applied to the payment of the principal and interest of the bonds, issuance of which is hereby authorized, or for improvements and other expenses necessary and incident to the operation of the school district system.

As amended by:

Private Acts of 1965, Chapter 120

SECTION 15. That the Tax Assessor of Gibson County shall prepare a separate and complete list, or book, of all taxable property, real and personal, within that part of the District which is in Gibson County, and furnish the same to the County Trustee of Gibson County, and the assessments shall be set up on the general tax books by the Clerk of the County Court of Gibson County.

And the Tax Assessor of Obion County shall prepare a separate and complete list, or book, of all taxable property, real and personal, within that part of the District which is in Obion County, and furnish the same to the Trustee of Obion County, and the assessment shall be set up on the general tax books by the Clerk of the County Court of Obion County.

SECTION 16. The district is hereby authorized and empowered to establish, or cause to be established, within its boundaries and own, either individually or jointly with the city of Kenton, Tennessee, an elementary school, together with all land, equipment, furniture, and fixtures necessary for the operation thereof, together with such other school or schools as may be necessary to serve the educational needs of the citizens and residents of the district, and to provide for the operation thereof. The provisions of this section shall only apply to those portions of the district lying within Gibson County and shall not apply to or affect portions of the district lying within Obion County.

SECTION 17. The district is hereby authorized and empowered to enter into an agreement or

agreements with Gibson County Special School District, or such other public entity as it shall deem appropriate, to provide for the administration of the schools of the district, the operation and management of all school properties and facilities of the district, and the maintenance and repair of all school properties and facilities of the district. The provisions of this section shall only apply to those portions of the district lying within Gibson County and shall not apply to or affect portions of the district lying within Obion County.

As amended by: Public Acts of 1998, Chapter 1078

SECTION 18. That this Act take effect from and after its passage, the public welfare so requiring.

Passed: February 27, 1947.

Milan Special School District

Private Acts of 1945 Chapter 504

SECTION 1. That the governing body of the City of Milan, Gibson County, Tennessee, is hereby authorized to create a Special School District within the corporate limits of said City; provided, further, that the outlying area contained in the Thirteenth Civil District of Gibson County may, upon a majority vote of the qualified voters in said Thirteenth Civil District outside the corporate limits of the City of Milan, Gibson County, Tennessee, become a part of said Special School District; and provided, further, that the duly authorized Election Commissioners of Gibson County shall, upon petition of ten (10) freeholders, call such election to be held according to the general laws for holding regular elections in said County, at such time as is designated in the petition as presented by the aforementioned freeholders outside the corporate limits of the City of Milan, Gibson County, Tennessee.

The district shall also include the following areas, as described:

- (1) Beginning at the intersection of Highway 45E with the Browning Road, thence following the Browning Road West to its intersection with the Chapel Hill Road, thence Northwest with the Chapel Hill Road to its intersection with the Mathis Crossing Road, thence with the Mathis Crossing Road North to its intersection with the Access Road, thence North with the Access Road to its intersection with the boundary of the Milan Special School District; i.e., Thirteenth Civil District; thence East and South with the boundary of the Milan Special School District; i.e., Thirteenth Civil District to Highway 45E, thence South with Highway 45 to the beginning point.
- (2) Beginning at the Carroll County-Gibson County line at the Northern most boundary of the Milan Special School District; i.e., Thirteenth Civil District, thence following said Northern boundary Westward to Highway 45E, thence with Highway 45E to its intersection with the Harmond Road, thence East with the Harmond Road to the Robert Crocker Road, thence East with the Robert Crocker Road to its intersection with the Walnut Grove Road, thence North with the Walnut Grove Road to its intersection with the Willie Tee Crocker Road; thence East with the Willie Tee Crocker Road to the Neal Road to the Flippen Field Road, thence Northeast with the Flippen Field Road to its intersection with the Holly Leaf Road, thence East with the Holly Leaf Road to its intersection with the Old Meridian Road, thence South with the Old Meridian Road to its intersection with the Horrace Burress Road, thence Southeast with the Horrace Burress Road to its intersection with the Poplar Spring Road, thence Northeast with the Poplar Spring Road to its intersection with the Flippen School House Road, thence Southeast with the Flippin [sic] School House Road to the Gibson County-Carroll County line, thence South with said County line to the beginning point.
- (3) Beginning at the intersection of the Moore's Chapel Sander's Store Road and the Milan-Trenton Highway thence South with the Moore's Chapel Sander's Store Road to its intersection with the Smith-Scott Road, thence East with the Smith-Scott Road to its most Eastern point, thence due East to the Western boundary of the Thirteenth Civil District, thence North with the Western boundary of the Thirteenth Civil District to the Rutherford Fork of the Obion River, thence Northwest with the Rutherford Fork of the Obion River to the Jack Connell Road, thence West with the Jack Connell Road to its intersection with the Bobby Burress Road, thence South with the Bobby Burress Road to its intersection with the Hertlow Road, thence South with the Hertlow Road to its intersection with the Concord Road, thence South with the Concord Road to its intersection with the Milan-Trenton Highway, thence East with the Milan-Trenton Highway to the beginning point.

As amended by: Private Acts of 1981, Chapter 82

SECTION 2. The Milan Special School District shall be governed by, and the management and control of such District vested in, a Board of Education (Board) comprised of seven (7) members, a majority of

whom shall constitute a quorum for the transaction of business. The members of the Board shall be elected as follows: one (1) member shall be elected from each of the four (4) wards of the City of Milan, and a member elected from a ward must be a resident of the ward for which he or she was elected; one (1) member, known as an "at large member" and who shall be a resident of the District, shall be elected by the electorate of the entire District; and two (2) members, who must reside within that portion of the District lying outside the municipal limits of the City of Milan, shall be elected by the electorate residing in that portion of the District situated outside of the municipal limits of the City of Milan. Except as hereinafter provided, each member shall serve a term of four (4) years.

At the General Election in November 2010, a Board member shall be elected to serve from the First Ward of the City of Milan. Such member shall be elected for a term to expire with the terms of the Board members elected in 2007 from outside the municipal limits of the City of Milan. Thereafter, the Board member from the First Ward of the City of Milan shall be elected at the same time as the Board members elected from outside the municipal limits of the City of Milan and shall serve a term of four (4) years.

As amended by:
 Private Acts of 1981, Chapter 182
 Private Acts of 1994, Chapter 136
 Private Acts of 2010, Chapter 52

SECTION 3. That, the Milan Special School District, when and if created, shall share in all State funds according to the present laws governing the distribution of such funds and shall share in all County Funds according to the proportion that the children in average daily attendance in the Milan Special School District schools are to the number of pupils in average daily attendance in like schools within the County; provided, further, that any county pupils who attend the Milan Special District schools from without the Milan Special School District limits shall have been paid for them into the Treasury of the Milan Special School District their pro rata share of all State and County Funds.

SECTION 4. For purposes of operating and maintaining the school district, there is hereby assessed an annual property tax of two dollars and sixteen cents (\$2.16) on every one hundred dollars (\$100.00) of real and personal property located within the district, such tax rate to be levied effective in the 2021 tax year and each year thereafter. The rate hereinabove established may be adjusted in accordance with the procedure set forth in Tennessee Code Annotated, Section 67-5-1704, relating to county-wide reappraisal and other provisions of applicable law. The taxes shall be annually extended and collected by the county trustee of Gibson County in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. Said taxes shall be used to pay principal of and interest and any redemption premiums on indebtedness of the District, to provide for additional funding of the District's school operations and capital improvements, and to fund any debt service reserve fund established by the Board of Trustees.

As amended by:
 Private Acts of 1981, Chapter 182
 Private Acts of 1984, Chapter 234
 Private Acts of 1991, Chapter 138
 Private Acts of 1994, Chapter 136
 Private Acts of 1997, Chapter 17.
 Private Acts of 2019, Chapter 2.
 Private Acts of 2021, Chapter 18.

SECTION 5. That the Board of Education governing the school program in the Milan Special School District shall have the necessary legal authority to operate the schools within said District efficiently and economically, and to do all such things not inconsistent with the present State Laws or Rules and Regulations of the State Board of Education.

SECTION 6. The provisions of this act are severable, and if any of its provisions or any sentence, clause or paragraph shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions hereof.

As amended by: Private Acts of 1981, Chapter 182

SECTION 7. That all laws or parts of laws in conflict with this Act shall, and the same are hereby, repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 28, 1945.

Trenton Special School District

Private Acts of 1975 Chapter 144

SECTION 1. That a Special School District be, and the same is hereby created and established, covering and including the 7th Civil District and parts of the 16th, 20th, 3rd, 21st, 11th, 12th and 18th Civil Districts of Gibson County, Tennessee, to be known as "Trenton Special School District", with boundaries as follows:

Beginning at a point of the intersection of the Humboldt-Gibson Wells Road and the Edison-Motley (Koffman) Road; thence north with the Edison-Motley Road to the intersection of the Fruitland-Edison Road; thence east with the Fruitland-Edison Road to the intersection of the Fruitland-Edison Road with U.S. Highway 45W; thence east with Fruitland and Gibson Road to the Eldad Road; thence with the Eldad Road north to the Sedberry Road; thence east with the Sedberry Road to its intersection with the Jim Jackson Road; thence north with the Jim Jackson Road to the Gibson-Trenton Road; thence northeast to the junction of the Airport Road and State Highway No. 104; thence east on Highway No. 104; thence east on Highway No. 104 to the junction of the Concord Road; thence north with the Concord Road to its intersection with the Cades Road; thence west with Cades Road to the junction of the Cades Road with the Laneview-Concord Road; thence west with Concord-Cades Road to the Junction of Squire White Road; thence with Squire White Road to its junction with Vaughn Grove Road; following Vaughn Grove Road easterly to its junction with the Laneview-Concord Road; thence northwesterly with the southwest margin of the Laneview-Concord Road to its junction with the Christmasville Road; thence west with the Christmasville Road to the junction of the Lawrence Campbell Road; thence northerly with the west margin of said road to its junction with the Laneview Concord Road; thence westerly with the south margin of the Laneview-Concord Road to its junction with Highway 54; thence with Kinsey Road to the junction of Skipp Barton Road; thence with the Barton Road to its junction with Goad and Grier's Chapel Road; thence with west with Grier's Chapel Road to its junction with U.S. Highway 45W; thence westerly with a diagonal line to a point in the Forked Deer River at a point in Albert Burch's northwest corner; thence south with Albert Burch's west line in a southerly direction to the bend in the Gum Woods Road as it runs in a southerly direction toward Highway 104; thence west with Gum Woods Road as it meanders to Highway 104 at the intersection of Roberts Road; thence south with Roberts Road to its intersection with the Old Trenton-Eaton Road; thence east with Old Trenton-Eaton Road to its intersection with Brazil-Elliott Store Road; thence south with the Brazil-Elliott Store Road to its intersection with the Frog Jump-Brazil Road; thence east with the Frog Jump-Brazil Road to the point of its junction with Highway 54; thence south with Highway 54 to its junction with the Humboldt-Gibson Wells Road; thence eastward with the Humboldt-Gibson Wells Road to the point of beginning.

As amended by: Private Acts of 1977, Chapter 78

SECTION 2. That Trenton Special School District shall be governed by a Board of Trustees of five (5) members, a majority of whom shall constitute a quorum for the transaction of business. The five members of said Board of Trustees shall be elected by the qualified voters residing in said special school district; provided that two (2) members of said Board of Trustees shall reside in that portion of said special school district lying outside of the city limits of Trenton, Tennessee; and one (1) member of the Board of Trustees may be a real property owner or a resident within the city limits of Trenton, Tennessee; and two (2) members of said Board of Trustees shall reside within that portion of said special school district lying in the city limits of Trenton, Tennessee. The members of said Board of Trustees shall be elected as follows:

The members designated as Member No. 1, appointed by this Act, shall serve for a period of one (1) year, and his successor shall be elected by the next general election after his term; Member No. 4 shall serve for a period of one (1) year and until his successor has been elected and qualified, and each of the successors shall serve for a two (2) year period, and all other appointed members of the Board shall serve for a two (2) year period. This will create a staggered term, leaving three (3) members on the Board with two years experience at all times, but after the initial appointment and election of new members each member shall serve for a period of two (2) years and until their successors have been elected and qualified, and thereafter all members shall be elected in the general election.

The First Board of Trustees shall consist of:

Member No. 1	Clarence Sirls
Member No. 2	R. L. Radford
Member No. 3	Mrs. Robert Holman
Member No. 4	Robert Gibson

Member No. 5

Grady Lewis

who shall hold office as provided herein, and until their successors shall be elected and qualified, as above provided.

In the event of a vacancy on the Board of Trustees, the remaining members of the Board shall fill the vacancy by appointment, such appointee to complete the remainder of the term for the vacated office; provided, however, that in filling such vacancy, the member appointed shall reside in the area designated in this Act wherein his predecessor resided.

In any and all elections of any of all members of said Board of Trustees residents of the entire Special School District otherwise qualified shall be eligible to vote in the election thereof.

At the expiration of each term after the effective date of this act, the successor members shall be elected for a term of four (4) years until all members are serving four (4) year terms, and thereafter all terms shall be for four (4) years.

As amended by:

Private Acts of 1977, Chapter 78
Private Acts of 1980, Chapter 336
Private Acts of 1984, Chapter 251

COMPILER'S NOTE: Private Acts of 1984, Chapter 251, contains a provision requiring that the Board of Trustees approve the amendment by 2/3 vote. The 1984 amendment added the last paragraph of Section 2, instituting a four-year term for Board members.

SECTION 3. That said first Board of Trustees hereinabove named shall, within fifteen (15) days after this act takes effect, qualify, meet, and elect a President, Vice President, Secretary, and Treasurer/Fiscal Agent from among the members of the Board of Trustees; provided, however, that such officers shall be residents of Trenton Special School District.

As amended by:

Private Acts of 1980, Chapter 336

SECTION 4. That the members of the Board of Trustees shall serve without compensation. The Treasurer/Fiscal Agent shall enter into bond, with some solvent surety company, authorized to do business in Tennessee, in an amount to be fixed by the Board of Trustees, which bond shall be payable to the State of Tennessee, for the use and benefit of Trenton Special School District, and conditioned to account for and pay over all funds of the District that comes into his hands; the cost of said bond to be paid out of the Administration Fund belonging to the Special School District and hereinafter provided for.

As amended by:

Private Acts of 1980, Chapter 336

SECTION 5. That the Board of Trustees of the said School District shall have general power and control over all of the schools operated by the District and the buildings and other property thereof and shall have the power to lease or rent any buildings or grounds for the use of the District or dispose of any property belonging to the District which is no longer needed. The Board shall further have general supervision over the employment of teachers, the fixing of their compensation, and such other powers as are pertinent to the Board of Education, and is expressly authorized to cooperate with and coordinate the activities of the District in the County Board of Education.

SECTION 6. (a) The Board of Trustees may, by resolution duly adopted by a majority of the entire membership of such board, authorize and issue from time to time notes, bonds and other debt obligations, including bond anticipation notes, in such principal amounts, maturing at such times not to exceed thirty (30) years from their date of issue, and bearing interest at such rates as may be determined by the Board of Trustees of the district, for the purposes for which the district was created and for the financing or refunding of existing debt obligations whether or not the same be fully defused.

(b) Such bonds, notes or other obligations shall be issued in fully registered form and shall be held at competitive public sale or at private negotiated sale, as determined by the Board of Trustees, for not less than ninety-seven percent (97%) of par value for the entire issue or series thereof plus accrued interest, if any, thereon; provided, however, if any part of such issue or series are to be sold at a zero percent (0%) rate of interest or at an original issue discount, such part may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such discount obligations plus accrued interest, if any, thereon.

(c) In issuing notes, bonds and other debt obligations pursuant hereto, the district shall comply, to the extent not inconsistent herewith, with all applicable procedures and requirements of the Local Government Public Obligations Act of 1986, as amended (the "Act") (currently codified as Tennessee Code Annotated, Title 9, Chapter 21) or the comparable provisions of any successor act. For the purpose of determining the applicability of various provisions of the act, the district shall be considered a "local government", its Board of Trustees shall be considered its "governing body", and all notes, bonds and other debt obligations of the district which are payable from or secured, in whole or in part, by a pledge of revenues derived from taxes levied by the General Assembly against taxable real and/or personal property within the boundaries of the district shall be considered "revenue obligations" of the district.

(d) Notes, bonds and other debt obligations of the district issued pursuant to the authority hereof and the income therefrom shall be exempt from all state, county and municipal taxation in the State of Tennessee except for inheritance, transfer and estate taxes, and except as otherwise provided by general law.

(e) Notwithstanding the contrary provisions of any other provision hereof or of the act, notes, bonds and other debt obligations of the district may not be issued hereunder in anticipation of an increase in the tax rate on taxable property within the boundaries of the district.

As amended by: Private Acts of 1995, Chapter 54

SECTION 7. That the Tax Assessor of Gibson County shall, within sixty (60) days after this act takes effect, prepare a separate and complete list or book of all taxable property, real and personal, within said District, and furnish same to the County Trustee, for his use in making collection of said. taxes, and the assessment shall be set up on the general tax books by the Clerk of the County of Gibson County, Tennessee.

As amended by: Private Acts of 1980, Chapter 336

SECTION 8. [deleted and repealed by: Private Acts of 1995, Chapter 54.]

SECTION 9. [deleted and repealed by: Private Acts of 1995, Chapter 54.]

SECTION 10. That the proceeds of sale of any bonds hereunder shall be collected by the Treasurer/Fiscal Agent and shall be disbursed by him only upon order of the Board of Trustees upon check or voucher signed by the Treasurer/Fiscal Agent and countersigned by the Superintendent.

As amended by: Private Acts of 1980, Chapter 336

SECTION 11. (a) For the purpose of supporting and maintaining the schools of the Trenton Special School District, for supplementing the school funds for said District to provide for expenses of administration, current operating expenses, fixed charges, retirement of school bonds heretofore or hereafter issued, or the transportation of students within the District, there shall be levied a tax of two dollars and sixteen cents (\$2.16) on each \$100.00 of assessed valuation for all real and personal property in the Trenton Special School District as such assessed value appears on the tax records of Gibson County, Tennessee, for each respective year.

(b) The Tax Assessor of Gibson County shall prepare a separate and complete list or book of all taxable property, real and personal, within said District, and furnish same to the County Trustee, for his use in making collection of said taxes.

(c) All taxes assessed hereby are to be a lien upon the real and personal property within the District, and shall become due and delinquent as and when county taxes become due and delinquent.

(d) The taxes herein assessed shall become due and collected at the same time and in the same manner as taxes are collected under the general laws of the state by the Gibson County Trustee. The funds received by the Trustee of Gibson County as a result of this tax shall be paid over to the secretary-treasurer of the Board of Trustees of the Trenton Special School District and shall constitute a portion of the school funds for the Trenton Special School District, which funds shall be under the control of the Trustees of the District and used by them for the purposes for which the Trenton Special School District was created. The secretary-treasurer shall segregate the funds necessary to pay the principal and interest on bonds heretofore or hereafter issued, which funds shall be kept separate from the other funds. No funds of the Trenton Special School District shall be disbursed except by check or voucher signed by the secretary-treasurer and countersigned by the president of the Board of Trustees.

(e) The provisions of this section shall be valid notwithstanding any other provision of the law to the contrary including, but not limited to, the provisions of Title 2, Tennessee Code Annotated.

As amended by:

- Private Acts of 1981, Chapter 167
- Private Acts of 1981, Chapter 183
- Private Acts of 1986, Chapter 136
- Private Acts of 1989, Chapter 107
- Private Acts of 1995, Chapter 54
- Private Acts of 2002, Chapter 137
- Private Acts of 2004, Chapter 109
- Private Acts of 2006, Chapter 100.

COMPILER'S NOTE: Private Acts of 1981, Chapter 167, was passed on May 25, 1981. That act added a new Section 11 which directed the Board of Trustees to set the school tax rate, not to exceed \$4 on every \$100 of taxable property, and required approval by a majority of the voters in the school district before the tax could be imposed or collected. The election was to have been held on June 25, 1981.

(Conditioning the effectiveness of a tax increase upon voter approval within a special school district was declared unconstitutional in *Gibson County Special School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985)). On July 23, 1981, the legislature passed Private Acts of 1981, Chapter 183, which also added a new Section 11, setting the tax rate at \$2.50, no local approval was required. Private Acts of 1986,

Chapter 136, increased the rate from \$2.50 to \$3.05. Private Acts of 1989, Chapter 107, changed the rate from \$3.05 to \$1.62, no local approval was required. Private Acts of 1995, Chapter 54, increased the rate from \$1.62 to \$2.07, no local approval was required.

Private Acts of 2002, Chapter 137, changed the rate from \$2.07 to \$1.71, no local approval was required.

SECTION 12. (a) All taxes collected by the County Trustee under the provisions of this act shall be paid over to the Treasurer/Fiscal Agent, who shall segregate such amounts as are needed to pay expenses other than debt service on bonds in an administrative fund.

(b) The amount so set apart into the administrative fund shall be kept separate from the funds for the payment of principal and interest on bonds, and no part of the administrative fund shall be disbursed except upon order of the Board of Trustees.

(c) No funds of Trenton Special School District shall be disbursed except by check or voucher signed by the Treasurer/Fiscal Agent and countersigned by the Superintendent.

As amended by: Private Acts of 2002, Chapter 137

SECTION 13. That if any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 14. That this Act take effect on becoming a law, the public welfare requiring it.

Passed: May 15, 1975.

COMPILER'S NOTE: Private Acts of 1980, Chapter 337, provided for an advisory referendum relative to extending the boundaries of the Trenton Special School District. The Gibson County Registrar has indicated that the voters did not approve the measure.

Private Acts of 1996 Chapter 202

SECTION 1. Creation and Boundaries. The Trenton special school district, heretofore created by and existing pursuant to Chapter 144 of the Private Acts of 1975, as amended and supplemented, is hereby recreated and reestablished and shall cover and include the 7th Civil district and parts of the 16th, 20th, 3rd, 21st, 11th, 12th and 18th Civil districts of Gibson County, Tennessee, and shall be known as the "Trenton special school district", and shall have boundaries as follows:

Beginning at a point of the intersection of the Humboldt-Gibson Wells Road and the Edison-Motley (Koffman) Road; thence north with the Edison-Motley Road to the intersection of the Fruitland-Edison Road; thence east with the Fruitland-Edison Road to the intersection of the Fruitland-Edison Road with U.S. Highway 45 W; thence east with Fruitland and Gibson Road to the Eldad Road; thence with the Eldad Road north to the Sedberry Road; thence east with the Sedberry Road to its intersection with the Jim Jackson Road; thence north with the Jim Jackson Road to the Gibson-Trenton Road; thence northeast to the junction of the Airport Road and State Highway No. 104; thence east on Highway No. 104 to the junction of the Concord Road; thence north with the Concord Road to its intersection with the Cades Road; thence west with Cades Road to the junction of the Cades Road with the Laneview-Concord Road; thence northwest with the Laneview-Concord Road to the intersection of Highway No. 54; thence with Kinsey Road to the junction of Skipp Barton Road; thence west with the Barton Road to its junction with Goad and Grier's Chapel Road; thence west with Grier's Chapel Road to the junction of U. S. Highway 45 W; thence westerly with a diagonal line to the point in the Forked Deer River at a point in Albert Burch's northwest corner; thence south with Albert Burch's west line in a southerly direction to the bend in the Gum Woods Road as it runs in a southerly direction toward Highway 104; thence west with Gum Woods Road as it meanders to Highway 104 at the intersection of Roberts Road; thence south with Roberts Road to its intersection with the Old Trenton-Eaton Road; thence east with Old Trenton-Eaton Road to its intersection with Brazil-Elliott Store Road; thence south with the Brazil-Elliott Store Road to its intersection with the Frog Jump-Brazil Road; thence east with the Frog Jump-Brazil Road to the point of its junction with Highway 54, thence south with Highway 54 to its junction with the Humboldt-Gibson Wells Road; thence eastward with the Humboldt-Gibson Wells Road to the point of beginning.

SECTION 2. Board of Trustees. The Trenton special school district shall be governed by a board of trustees of five (5) members, a majority of whom shall constitute a quorum for the transaction of business. The five (5) members of the board of trustees shall be elected by the qualified voters residing in said special school district; provided that two (2) members of said board shall reside in that portion of the district lying outside of the city limits of Trenton; one (1) member of the board may be a real property

owner or a resident within the city limits of Trenton; and two (2) members of the board shall reside within that portion of the district lying in the city limits of Trenton.

Members of the board shall serve terms of four (4) years and until their successors shall be elected and qualified as herein provided. Currently serving members of the board of trustees shall remain in office for the remainder of their respective current terms and until their successors shall be elected and qualified. The staggered terms of members of the board of trustees heretofore established shall be maintained and continued.

Members of the board shall be elected at general elections held pursuant to the general election laws. Each resident of the entire district otherwise qualified shall be eligible to vote in each election of one (1) or more members of the board.

In the event of a vacancy on the board of trustees, the remaining members of the board shall fill the vacancy by appointment, such appointee to complete the remainder of the term for the vacated office; provided, however, that in filling such vacancy, the member appointed shall reside in the area designated in this act wherein his predecessor trustee resided.

SECTION 3. Officers; Superintendent. The Trenton special school district shall have as its officers a president, vice-president, secretary and treasurer/fiscal agent, each of whom shall be a member of the board of trustees and a resident of the district. Said officers shall be elected by the affirmative vote of a majority of the entire membership board and shall serve until their successors shall be elected and qualified. Currently serving officers of the special school district shall remain in office until their successors shall be elected and qualified.

The board of trustees shall employ a superintendent of schools who shall serve as the chief operating and administrative officer of the district. The contract of the current superintendent shall not be hereby impaired.

SECTION 4. Compensation of Trustees; Bond of Treasurer/Fiscal Agent. The members of the board of trustees shall serve without compensation. The treasurer/fiscal agent shall enter into bond, with some solvent surety company, authorized to do business in Tennessee, in an amount to be fixed by the board, which bond shall be payable to the State of Tennessee, for the use and benefit of Trenton special school district, and conditioned to account for and pay over all funds of the district that come into the hands of such treasurer/fiscal agent; the cost of the bond to be paid out of the administration fund of the district.

SECTION 5. Powers of Board of Trustees. The board of trustees shall have general power and control over all of the schools operated by the district and the buildings and other property, real and personal, of the district and shall have the power to lease or rent any buildings or grounds for the use of the district and to dispose of any property belonging to the district which is no longer needed or is to be replaced. The board shall further have general supervision over the employment of teachers, the fixing of their compensation, and such other powers as are pertinent to the Board of Education, and is expressly authorized to cooperate with and coordinate the activities of the district with the county Board of Education.

SECTION 6. Bonds and Other Debt Obligations. (a) The board of trustees may, by resolution duly adopted by a majority of the entire membership of such board, authorize and issue from time to time notes, bonds and other debt obligations, including bond anticipation notes, in such principal amounts, maturing at such times not to exceed thirty (30) years from their date of issue, and bearing interest at such rates as may be determined by the board, for the purposes for which the district was created and for the refinancing or refunding of existing debt obligations whether or not the same be fully defeased.

(b) Such bonds, notes or other obligations shall be issued in fully registered form and shall be sold at competitive public sale or at private negotiated sale, as determined by the board, for not less than ninety-seven (97%) of par value for the entire issue or series thereof plus accrued interest, if any, thereon; provided, however, if any part of such issue or series are to be sold at a zero percent (0%) rate of interest or at an original issue discount, such part may be sold at not less than ninety-seven percent (97%) of the original reoffering price of such discount obligations plus accrued interest, if any, thereon.

(c) In issuing notes, bonds and other debt obligations pursuant hereto, the district shall comply, to the extent not inconsistent herewith, with all applicable procedures and requirements of the Local Government Public Obligations Act of 1986, as amended (the "act") (currently codified as Title 9, Chapter 21, Tennessee Code Annotated) or the comparable provisions of any successor act. For the purpose of determining the applicability of various provisions of the act, the district shall be considered a "local government", its board of trustees shall be considered its "governing body", and all notes, bonds and other debt obligations of the district which are payable from or secured, in whole or in part, by a pledge of revenues derived from taxes levied by the general assembly against taxable real and/or personal property within the boundaries of the district shall be considered "revenue obligations" of the district.

(d) Notes, bonds and other debt obligations of the district issued pursuant to the authority hereof and the income therefrom shall be exempt from all state, county and municipal taxation in the State of Tennessee except for inheritance, transfer and estate taxes, and except as otherwise provided by general law.

(e) Notwithstanding the contrary provisions of any other provision hereof or of the act, notes, bonds and other debt obligations of the district may not be issued hereunder in anticipation of an increase in the tax rate on taxable property within the boundaries of the district.

(f) The proceeds of sale of any bonds hereunder shall be collected by the treasurer/fiscal agent and shall be disbursed only upon order of the board of trustees by check or voucher signed by the treasurer/fiscal agent and countersigned by the superintendent.

SECTION 7. Taxable Property List. The tax assessor of Gibson County shall continue to prepare and maintain a separate and complete list or book of all taxable property, real and personal, within the district, and furnish same to the county trustee for use in making collection of taxes, and the assessment shall be set up on the general tax books of the county clerk of Gibson County.

SECTION 8. Tax Levy and Collection; Procedures. (a) For the purpose of supporting and maintaining the schools of the Trenton special school district, for supplementing the school funds for the district to provide for expenses of administration, current operating expenses, fixed charges, retirement of bonds and debt obligations heretofore or hereafter issued, and the transportation of students within the district, there shall be and hereby is levied a tax of two dollars and sixteen cents (\$2.16) on each one hundred dollars (\$100) of assessed value for all real and personal property in the Trenton special school district as such assessed value appears on the tax records of Gibson County for each respective year.

As amended by: Private Acts of 2015, Chapter 4

(b) The tax assessor of Gibson County shall prepare and maintain a separate and complete list or book of all taxable property, real and personal, within the district, and furnish same to the county trustee, for his use in making collection of said taxes.

(c) All taxes assessed hereby are to be a lien upon the real and personal property within the district, and shall become due and delinquent as and when county taxes become due and delinquent.

(d) The taxes herein assessed shall become due and collected at the same time and in the same manner as taxes are collected under the general laws of the State by the Gibson County trustee. The funds received by the trustee of Gibson County as a result of this tax shall be paid over to the treasurer/fiscal agent of the district and shall constitute a portion of the school funds for the district, which funds shall be under the control of the board and be used by them for the purposes for which the district was created. The treasurer/fiscal agent shall segregate the funds necessary to pay the principal and interest on bonds or other debt heretofore or hereafter issued, which funds shall be kept separate from the other funds. No funds of the district shall be disbursed except by check or voucher signed by the treasurer/fiscal agent and countersigned by the superintendent.

(e) All taxes collected by the county trustee under the provisions of this act shall be paid over to the treasurer/fiscal agent, who shall segregate the amounts so received into an administrative fund and one (1) or more debt service funds. The amount so set apart into the administrative fund shall be kept separate from the funds for the payment of debt service. No part of the administrative fund or any debts service fund shall be disbursed except upon order of the board. No funds of the district shall be disbursed except by check or voucher signed by the treasurer/fiscal agent and countersigned by the superintendent upon order of the board.

(f) The provisions of this section shall be valid notwithstanding any other provision of the law to the contrary including, but not limited to, the provisions of Tennessee Code Annotated, Title 2.

As amended by: Private Acts of 2004, Chapter 109,
Private Acts of 2006, Chapter 100,
Private Acts of 2010, Chapter 46.

SECTION 9. Contracts and Agreements with Other Governments. The board of trustees is hereby authorized and empowered to make contracts and agreements with any and all agencies and instrumentalities of the Federal Government or of the State of Tennessee, including but not limited to Gibson County and any one (1) or more municipalities within Gibson County with reference to the procurement of funds for the purposes of this act, and to this end, may, if necessary, or if deemed expedient, sell, transfer or assign bonds issued hereunder to any agency or instrumentality of the government of the United States or of the State of Tennessee; or to make any other lawful financial arrangements with either of these governments, or their agencies or instrumentalities, which the board may deem necessary or expedient.

SECTION 10. Repeal of Inconsistent Provisions. All provisions of Chapter 144 of the Private Acts of

1975, as amended by Chapter 178 of the Private Acts of 1977, Chapters 336 and 337 of the Private Acts of 1980, Chapters 167 and 183 of the Private Acts of 1981, Chapter 340 of the Private Acts of 1982, Chapter 251 of the Private Acts of 1984, Chapter 136 of the Private Acts of 1986, Chapter 107 of the Private Acts of 1989, Chapter 54 of the Private Acts of 1995, and all other acts amendatory thereto, which are inconsistent or in conflict with the provisions hereof are hereby repealed to the extent of such inconsistency or conflict; provided, however, no contracts, agreements, bonds, notes or other bonding undertakings heretofore entered into by the Trenton special school district, including but not limited to its Limited Tax School Bonds, Series 1995, shall be impaired or invalidated hereby and all such contracts, agreements, bonds, notes and other binding undertakings are hereby approved, ratified and validated.

SECTION 11. Captions for Convenience Only. The captions of the various sections hereof are included herein only for convenience of reference and shall not be, or be deemed or construed to be, indicative of legislative intent with respect to any provision of this act.

SECTION 12. Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 13. Effective Date. This act shall take effect on becoming a law, the public welfare requiring it.

Passed: April 25, 1996.

Dyer Special School District

Private Acts of 1988 Chapter 212

COMPILER'S NOTE: Although Dyer Special School District no longer operates schools in Gibson County, the following act may remain of interest.

SECTION 1. Chapter 852 of the Private Acts of 1937, as amended by Chapter 110 of the Private Acts of 1967, Chapter 327 of the Private Acts of 1970, and all other acts amendatory thereto, is amended by adding Section 2 of this act as a new section to be appropriately designated.

SECTION 2. Funds which have been collected by the Gibson County Trustee for the Dyer Special School District shall be transferred to the Gibson County Special School District for use at the Dyer Junior High School. Any funds derived from taxes levied prior to 1988 and collected by the county trustee shall be used by the Gibson County Special School District for the use at the Dyer Junior High School.

All real property of the Dyer Special School District shall be transferred to the City of Dyer to be used for school purposes until such property is abandoned by appropriate school operating authorities. All personal property of the Dyer Special School District shall be transferred to the Gibson County Special School District for use at the Dyer Junior High School.

The last elected trustees of the Dyer Special School District, being J.R. Reed, Ellen Pratt, Walton Thompson, Lou Alice Halford, and Larry Paschall, are authorized and shall execute all appropriate documents necessary to effectuate the purposes of this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 28, 1988.

Transfer of Buses Between Districts

Private Acts of 1983 Chapter 127

SECTION 1. The county board of education in any county with a population of not less than forty-nine thousand four hundred (49,400) nor more than forty-nine thousand six hundred (49,600), according to the 1980 federal census or any subsequent federal census, is authorized, with the approval of the State Commissioner of Education, to transfer to special school districts operating schools within that county, transportation equipment used in the transportation of students, upon such terms and conditions and for such consideration as may be agreed upon by the contracting entities for the purpose of enhancing and facilitating the transportation of students to and from the public schools of that county.

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 Gibson County or any other legislative body to which it may apply before September 1, 1983. Its approval or nonapproval shall be proclaimed by the presiding officer of the 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: May 4, 1983.

Education/Schools - Historical Notes

Special School Districts - Bradford Special School District

1. Private Acts of 1925, Chapter 467, purported to abolish all special school districts in Gibson County and transfer control over all schools in those districts to the Gibson County Board of Education. The act purported to repeal all laws creating special school districts except those parts levying a tax to pay outstanding bonds and debt, and declared all outstanding bonds and indebtedness of the special school districts to be valid and binding obligations of those districts. The act enumerated those districts in which taxes were retained and referenced the acts authorizing such taxes. Private Acts of 1939, Chapter 548, amended Private Acts of 1925, Chapter 467, to provide that any monies remaining after payment of all bond indebtedness was to be spent by the County Board of Education for the use of schools in the special school district. Private Acts of 1925, Chapter 467, was declared unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948). Private Acts of 1925, Chapter 467, as it related to Bradford Special School District, was repealed by Private Acts of 1992, Chapter 251 (reproduced hereinabove).
2. The constitutionality of Private Acts of 1975, Chapter 95 (reproduced hereinabove), was challenged in *Partee v. Pierce*, 553 S.W.2d 602 (Tenn. App. 1977). Private Acts of 1977, Chapter 126, renewed the authority for the \$1,600,000 bond issue in the event that the act was finally declared invalid. Private Acts of 1975, Chapter 95, withstood constitutional challenge in *Partee v. Pierce*, 553 S.W.2d 602 (Tenn. App. 1977). The court elided section 5 of the act which required approval of the act by local referendum, and found that section 4 requiring such approval for the issuance of school bonds was constitutional. Both Sections 4 and 5 of the act were deleted by Private Acts of 1980, Chapter 270.
3. In *Partee v. Pierce*, 589 S.W.2d 919 (Tenn. App. 1979), a second attempt to block the bond issue and resultant taxes, Bradford Special School District was held to have been in continuous existence since its inception in 1917, and that the District never transferred administration of the school system to the Gibson County Board of Education.
4. Private Acts of 1980, Chapter 270, for which no approval was required, amended Private Acts of 1975, Chapter 95 (reproduced above), by reducing the amount of bond authorization from \$1,600,000 to \$800,000, increasing the allowable interest rate from 8% to 10%, authorizing the issuance of bond anticipation notes, reducing the allowable tax rate from \$1.75 to \$1.15 per \$100, and by deleting Sections 4 and 5. Sections 4 and 5 provided for referendum approval of the act and of the issuance of the bonds. The bond issue had been approved by local referendum.
5. Private Acts of 1984, Chapter 240, amended Private Acts of 1917, Chapter 153 (reproduced hereinabove). Section 2 of the 1984 act, which required approval of the voters in the district before the act became effective, was declared unconstitutional by the Tennessee Supreme Court in *Gibson Cougly School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985), but the court elided the section requiring local approval and the act remained effective.

Special School Districts - Gibson County Special School District

1. Acts of 1907, Chapter 288, created "Gibson School District" out of a portion of the 18th Civil District of Gibson County.
2. Private Acts of 1917, Chapter 392, created "Gibson County Special School District" out of a portion of the 2nd and 18th Civil Districts, including the town of Gibson. A school tax of 500 on every \$100 of taxable property was assessed.
3. Public Acts of 1920 (Ex. Sess.), Chapter 22, was enacted to change the tax rate in areas where the legislature had levied a specific tax rate for specific purposes in a limited territory, including special school districts. The act exempted Private Acts of 1917, Chapter 392 (Gibson Special School District) from its provisions.
4. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 200 on every \$100 of taxable property within Gibson County Special School District. This act was later held unconstitutional in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).

Special School Districts - Kenton Special School District

1. Acts of 1905, Chapter 293, established Kenton High School District No. 32, in the Tenth Civil District of Gibson County.
2. Private Acts of 1921, Chapter 463, is referenced in later amendatory acts as being House Bill 1062, passed March 24, 1921, and approved March 28, 1921, creating the Kenton Special School District. However, Private Acts of 1921, Chapter 463, is an act relative to fishing with baskets for suckers and carp in Warren and Grundy Counties. Our research has revealed no act which was passed in 1921 relative to the Kenton Special School District. The elusive 1921 act was amended by Private Acts of 1923, Chapter 480, to authorize the issuance of interest-bearing coupon bonds by the Kenton Special School District in the amount of \$7,500. Both of these acts were repealed by Private Acts of 1941, Chapter 164. (The status of the law on suckers and carp in Warren and Grundy Counties remains uncertain.)
3. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 150 on every \$100 of taxable property within Kenton Special School District. This act was later held unconstitutional in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
4. Private Acts of 1927, Chapter 539, re-established the Kenton Special School District after the attempted abolition of all special school districts in Gibson County by Private Acts of 1925, Chapter 467, assumed the indebtedness of the \$7,500 school bonds which had been issued, and set the tax rate at 200 on every \$100 of taxable property, with an additional 100 tax to pay principal and interest on the bonds. Vvllhen (sic) the school bonds had been fully retired, the 1927 act was amended by Private Acts of 1937, Chapter 412, to eliminate the special tax which had been imposed to pay the principal and interest on the school bonds. The 1927 act was further amended by Private Acts of 1941, Chapter 164, to reduce the tax rate from 200 to 50 on every \$100 of taxable property. All school taxes within the District were eliminated when Section 7 of the 1927 act was deleted in its entirety by Private Acts of 1945, Chapter 202.

Special School Districts - Milan Special School District

1. There were two attempts to re-establish the Milan Special School District since the passage of the original act in 1945. Private Acts of 1957, Chapter 372, and Private Acts of 1967-68, Chapter 400, failed to gain local approval and never took effect. However, Private Acts of 1994, Chapter 136, purported to repeal Section 6 of Private Acts of 1957, Chapter 372, as amended by Private Acts of 1981, Chapter 182, and any other act amendatory thereto; Section 9 of Private Acts of 1957, Chapter 372, as amended by any other act amendatory thereto; and Sections 6 and 9 of Private Acts of 1967, Chapter 400, as amended by any other act amendatory thereto, are repealed.
2. Private Acts of 1981, Chapter 82, amended Private Acts of 1945, Chapter 504, Section I (reproduced hereinabove), to raise the tax rate. The act required a referendum election to make the act operational, and it was not approved. In the context of special school districts, the practice of conditioning the effectiveness of an act or the imposition of a tax upon popular vote of those subject to the law has been declared unconstitutional in *Gibson County Special School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985). Private Acts of 1981, Chapter 182, removed the referendum requirement from the earlier 1981 amendment, making it effective upon its approval in the legislature.

Special School Districts - School Districts Which No Longer Exist

The following special school districts have been established in Gibson County at one time, but no longer exist. Those special school districts which were not taxing districts as of 1925 were abolished by Public Acts of 1925, Chapter 115, T.C.A. § 49-2-501. The following summaries indicate with an asterisk (*) those districts which had no taxing authority and were abolished by the 1925 act. A few special school districts were specifically abolished by repeal of the act under which they were created. The other districts no longer exist by virtue of consolidation, merger, or subsequent abolition under Public Acts of 1982, Chapter 907 or other general school laws found in Title 49 of the Tennessee Code Annotated.

BELL'S CHAPEL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 771, established Bell's Chapel Special School District out of parts of the 8th, 9th, 10th, 21st and 24th Civil Districts. The tax rate was 15¢ on every \$100 of taxable property and 50¢ poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 8, amended 1917 act to lower the property tax rate to 10¢.

3. Private Acts of 1923, Chapter 497, amended 1917 act to change the boundary, and raise the property tax rate to 15¢ and the poll tax to \$1.

BRAZIL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 112, established Brazil Special School District out of part of the 5th Civil District including the town of Brazil. The tax rate was 50¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 74, amended the 1917 act to extend the boundary and lower the property tax rate to 25¢.
3. Private Acts of 1920 (Ex. Sess.), Chapter 75, authorized the issuance of \$20,000 of school bonds.
4. Private Acts of 1921, Chapter 177, amended the 1919 act to lower the property tax rate to 12½¢.
5. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 100 on property in the Brazil Special School District to pay the outstanding indebtedness. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).

BRICK HILL SCHOOL DISTRICT

1. * Private Acts of 1915, Chapter 473, established "Brick Hill School District, No. _" in the 15th Civil District of Gibson County. No tax.

CEDAR GROVE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 328, created Cedar Grove Special School District out of part of the 23rd Civil District. The tax rate was 100 on every \$100 of taxable property and \$1 poll tax.

CENTERVILLE SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 596, created Centerville School District out of part of the 1st Civil District. Section 6 of the act purported to grant taxing powers to the district, but the Governor approved the act "upon the idea that Section 6 may be may be elided as invalid leaving a valid school district.
2. Private Acts of 1919, Chapter 706, was the Senate version of the earlier act, and with no appreciable changes, Centerville School District was created again. Section 6 was the same in both acts. The Governor again approved the act, with the understanding that Section 6 was unconstitutional and should be elided.
3. Private Acts of 1920 (Ex. Sess.), Chapter 7, amended Private Acts of 1919, Chapter 706, to amend the boundary and to set the tax rate at 20¢ on every \$100 of taxable property.

Portions of Centerville School District at one time overlapped portions of Medina Special School District. See *Edwards v. Davis*, 244 S.W. 359 (Tenn. 1922).

CENTRAL ACADEMY SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 461, created Central Academy Special School District out of part of the 8th and 24th Civil Districts of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Central Academy Special School District from this general tax act which reduced tax rates proportionally with new assessments.

CENTRAL HIGH SCHOOL DISTRICT NO. 26

1. * Acts of 1905, Chapter 78, established Central High School District No. 26 in part of the 6th Civil District of Gibson County. No tax.

CENTRAL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 556, created Central Special School District out of part of the 6th Civil District of Gibson County. The tax rate was 50¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 99, amended the 1917 act to lower the property tax rate to 200.
3. Private Acts of 1923, Chapter 587, repealed Private Acts of 1917, Chapter 556 (Central Special School District) and Private Acts of 1919, Chapter 356 (Eaton Center Special School District), and created the Spring Hill Special School District.

CENTRAL VIEW SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 893, created Central View Special School District out of a part of the 14th and 23rd Civil Districts. The tax rate was 20¢ on every \$100 of taxable property and \$1 poll tax.

CHINA GROVE SCHOOL DISTRICT

1. * Acts of 1907, Chapter 275, created China Grove School District out of parts of the 19th and 23rd Civil Districts of Gibson County. No tax.

CHINA GROVE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1915, Chapter 489, created China Grove Special School District out of parts of the 19th and 23rd Civil Districts of Gibson County. No tax. This act contained a general repealer clause, which may have repealed the 1907 act creating China Grove School District.
2. Private Acts of 1921, Chapter 167, amended the 1915 act to assess a tax of 20¢ on every \$100 of taxable property and \$1 poll tax.
3. Private Acts of 1923, Chapter 673, amended the 1915 act to more definitely fix the boundary.

CONCORD SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 285, created the Concord School District in the 12th Civil District of Gibson County. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 39, amended the 1919 act to lower the property tax rate to 10¢.

COOL SPRINGS SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 787, created the Cool Springs School District out of parts of the 8th and 24th Civil Districts of Gibson County. No tax.
2. Private Acts of 1919, Chapter 148, amended the 1917 act to assess a tax of 25¢ on every \$100 of taxable property and \$1 poll tax.
3. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Cool Springs School District from the general tax act which reduced tax rates proportionally with new assessments.

DAVIDSON CHAPEL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 744, created the Davidson Chapel Special School District in the 12th Civil District of Gibson County. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax. The act also authorized the Directors to receive private contributions for the use of the school district.
2. Private Acts of 1920 (Ex. Sess.), Chapter 11, amended the 1919 act to lower the property tax rate to 10¢.

DYER SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 806, created the Dyer Special School District out of parts of the 9th, 11th and 21st Civil Districts, including the town of Dyer. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 55, amended the 1917 act to lower the property tax rate to 30¢.
3. Private Acts of 1921, Chapter 216, amended the 1917 act to change the boundary.
4. Private Acts of 1925, Chapter 467, was enacted in an attempt to abolish all special school districts in Gibson County. This act was later held unconstitutional in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
5. Private Acts of 1935 (Ex. Sess.), Chapter 135, re-created the Dyer Special School District in the 21st and parts of the 7th, 8th, 9th and 11th Civil Districts, including the town of Dyer. The act authorized the issuance of no more than \$75,000 school bonds, contingent upon local voter approval. The tax rate was 17¢ on every \$100 of taxable property and \$1 poll tax. This act was repealed by Private Acts of 1937, Chapter 756.
6. Private Acts of 1937, Chapter 852, re-created Dyer Special School District in 21st and parts of the 6th, 7th, 9th, 11th and 23rd Civil Districts, including the Town of Dyer. The act authorized the issuance of \$50,000 school bonds, contingent upon local voter approval, and levied a tax of 20¢ on every \$100 of taxable property.
7. Private Acts of 1937 (3rd Ex. Sess.), Chapter 3, amended the 1937 act to change the tax rate to 26¢.

8. Private Acts of 1967-68, Chapter 110, made amendments to the powers of the Board of Trustees, the tax provisions and the Administrative Fund provisions. Although the Secretary of State notes that this act was "rejected or disapproved," the act contained no requirement of local approval.
9. Private Acts of 1970, Chapter 327, amended the 1937 act to lower the tax rate to 13¢.
10. The Dyer Special School District no longer operates schools in Gibson County. Private Acts of 1988, Chapter 212, which is reproduced in its entirety in this compilation, provides for the transfer of the assets of Dyer Special School District to the Gibson County Special School District.

EATON CENTER SCHOOL DISTRICT

1. * Private Acts of 1915, Chapter 280, created the Eaton Center School District out of parts of the 5th and 6th Civil Districts of Gibson County. No tax.

EATON CENTER SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 356, created the Eaton Center Special School District out of parts of the 5th and 6th Civil Districts of Gibson County. The tax rate was 35¢ on every \$100 of taxable property and \$1 poll tax. Contains general repealer clause.
2. Private Acts of 1923, Chapter 587, repealed Private Acts of 1919, Chapter 356 (Eaton Center Special School District) and Private Acts of 1917, Chapter 556 (Central Special School District), and created the Spring Hill Special School District.

EDISON-FRUITLAND SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 952, created the Edison-Fruitland Special School District out of the entire 20th and parts of the 3rd and 25th Civil Districts of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1923, Chapter 189, repealed the 1921 act.

FRUITLAND HIGH SCHOOL DISTRICT NO. 34

1. * Acts of 1905, Chapter 330, created the Fruitland High School District No. 34 in the 20th District of Gibson County. No tax.

GIBSON SCHOOL DISTRICT

1. * Acts of 1907, Chapter 288, created "Gibson School District" out of a portion of the 18th Civil District of Gibson County. No tax.

HIGH SCHOOL DISTRICT NO. 29

1. * Acts of 1905, Chapter 245, created High School District No. 29 in the 14th Civil District of Gibson County. No tax.
2. * Private Acts of 1915, Chapter 514, created High School District No. 29 in the 14th Civil District of Gibson County. No tax. Contains general repealer clause.

HOPE HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 467, created the Hope Hill Special School District in part of the 1st Civil District in Gibson County. The tax rate was 20¢ on every \$100 of taxable property and \$1 poll tax. Authorized private contributions.
2. Private Acts of 1923, Chapter 170, repealed Private Acts of 1921, Chapter 467.

HOPEWELL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1913, Chapter 216, created Hopewell School District in the 8th Civil District of Gibson County. No tax.
2. Private Acts of 1921, Chapter 548, amended the 1913 act to assess a tax of 15¢ on every \$100 of taxable property and \$1 poll tax.

KENTON HIGH SCHOOL DISTRICT NO. 32

1. * Acts of 1905, Chapter 293, created Kenton High School District No. 32 in the 10th Civil District of Gibson County. No tax.

LANEVIEW COLLEGE DISTRICT NO. 28

1. * Acts of 1905, Chapter 168, created Laneview College District No. 28 in the 11th District of Gibson County. No tax.

LANEVIEW SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 462, created the Laneview Special School District out of parts of the 7th, 11th and 12th Civil Districts of Gibson County. The tax rate was 40¢ on every \$100 of

taxable property and \$1 poll tax.

2. Private Acts of 1920 (Ex. Sess.), Chapter 107, amended the 1917 act to lower the property tax rate to 20¢.
3. Private Acts of 1921, Chapter 436, amended the 1917 act to change the boundary line.
4. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 10¢ on property in the Laneview Special School District. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).

LONOKE SCHOOL DISTRICT NO. 33

1. Acts of 1907, Chapter 57, created the "Lonoke School District No. 33" in the 19th Civil District of Gibson County. No tax.
2. * Private Acts of 1911, Chapter 665, created the "Lonoke School District No. 33" in the 19th Civil District of Gibson County. No tax. It appears that these are the same school districts, but subsequent acts refer only to the 1907 act. Contains general repealer clause.
3. Private Acts of 1920 (Ex. Sess.), Chapter 47, amended Acts of 1907, Chapter 57, to change the boundary line, to authorize the issuance of \$16,000 of school bonds, and to assess a tax of 15¢ on every \$100 of taxable property and \$1 poll tax.
4. Private Acts of 1921, Chapter 845, amended the 1920 act to reduce the amount of the bonds to \$12,000.

MASON HALL SCHOOL DISTRICT

1. * Acts of 1907, Chapter 147, created an independent school district out of parts of the counties of Gibson and Obion, to be known as "Mason Hall." No tax.
2. * Acts of 1909, Chapter 443, again created an independent school district out of parts of the counties of Gibson and Obion, to be known as "Mason Hall." No tax. No repealer clause.
3. * Private Acts of 1913, Chapter 186, again created an independent school district out of parts of the counties of Gibson and Obion, to be known as "Mason Hall." No tax. No repealer clause.
4. Private Acts of 1917, Chapter 711, created a special school district out of part of the 8th and 11th Civil Districts of Obion County and part of the 10th and 24th Civil Districts of Gibson County, to be known as the "Mason Hall Special School District." The tax rate was 30¢ on every \$100 of taxable property and \$1 poll tax. Contains general repealer clause.
5. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted the Mason Hall Special School District (as created by the 1917 act) from the general tax act which reduced tax rates proportionally with new assessments.
6. Private Acts of 1921, Chapter 840, amended the 1917 act to lower the property tax rate to 15¢.
7. Private Acts of 1923, Chapter 687, amended the 1917 act to raise the property tax rate to 25¢.
8. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 10¢ on property in the Mason Hall Special School District. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
9. Private Acts of 1927, Chapter 367, amended the 1917 act to lower the property tax rate to 10¢.
10. Private Acts of 1929, Chapter 870, re-created the Mason Hall Special School District after the 1925 private act purported to abolish all special school districts in Gibson County. The tax rate was 30¢ on every \$100 of taxable property and \$1 poll tax. The act contained a general repealer clause.
11. Private Acts of 1941, Chapter 168, amended the 1929 act to lower the tax rate to 5¢. This act also specifically repealed Private Acts of 1917, Chapter 711, and Private Acts of 1927, Chapter 367.
12. Private Acts of 1959, Chapter 167, created Mason Hall Special School District in parts of Gibson and Obion Counties. The tax rate was 50¢ on every \$100 of taxable property. The act required approval by 2/3 vote of the Quarterly County Courts in Gibson and Obion Counties, unless the courts determined that Article 11, Section 9 of the Tennessee Constitution did not require such approval. The act also made provisions for a referendum if the courts interpreted the new constitutional provision to require such approval.
13. Private Acts of 1967-68, Chapter 44, repealed Private Acts of 1959, Chapter 167, but the act

provided that it would have no effect unless it received approval by 2/3 vote of the Quarterly County Court of Gibson County (does not mention Obion). The Secretary of State noted that the act was properly ratified and approved. The constitutionality of this act appears to have been later questioned.

14. Public Acts of 1972, Chapter 491, abolished Mason Hall Special School District, distributed all remaining funds to the Boards of Education of Gibson and Obion Counties, and again repealed Private Acts of 1959, Chapter 167 in the event the first attempt was not effective.

MEDINA SPECIAL SCHOOL DISTRICT

1. Private Acts of 1920 (Ex. Sess.), Chapter 83, created Medina Special School District out of part of the 1st and 2nd Civil Districts of Gibson County, including the city of Medina. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1921, Chapter 334, amended the 1920 act to lower the property tax rate to 20¢.
3. In 1922, the Tennessee Supreme Court declared the 1920 act unconstitutional in *Edwards v Davis*, 244 S.W. 359 (Tenn. 1922). The court also noted that portions of Centerville School District overlapped portions of Medina Special School District, but that fact did not render the act unconstitutional.
4. Private Acts of 1923, Chapter 325, repealed the 1920 act, abolishing the school district.
5. Private Acts of 1957, Chapter 333, re-created Medina Special School District out of the 1st and part of the 2nd and 13th Civil Districts of Gibson County. The act authorized a \$75,000 bond issue, and set the tax rate at \$1 on every \$100 of taxable property. The act required approval of the bonds by referendum in the school district.

MOORE'S CHAPEL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 126, created Moore's Chapel Special School District out of part of the 12th Civil District of Gibson County. The tax rate was \$1 on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 13, amended the 1919 act to lower the property tax rate to 35¢.

MORELLA SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 549, created Morella Special School District out of part of the 10th Civil District of Gibson County. The tax rate was 10¢ on every \$100 of taxable property and \$1 poll tax.

NEBOVILLE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 236, created Neboville Special School District in part of the 8th Civil District of Gibson County, including the town of Neboville. The tax rate was 15¢ on every \$100 of taxable property; no poll tax.
2. Private Acts of 1919, Chapter 773, amended the 1917 act to raise the tax rate to 30¢ and to add \$1 poll tax. This act was repealed by Private Acts of 1921, Chapter 204.
3. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Neboville Special School District from this general tax act which reduced tax rates proportionally with new assessments.
4. Private Acts of 1921, Chapter 479, directed the election commission to hold an election to determine whether the voters in Neboville Special School District were in favor of a special tax for school bonds.
5. Private Acts of 1923, Chapter 379, authorized Neboville Special School District to issue \$6,000 school bonds, conditioned upon approval by referendum in the school district, and levied a special tax of 20¢ on every \$100 of taxable property to pay principal and interest on the bonds.
6. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 20¢ on property in the Neboville Special School District to pay the outstanding bond indebtedness. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
7. Private Acts of 1949, Chapter 330, repealed Private Acts of 1917, Chapter 236, abolishing the school district.

NORTHERN'S SPECIAL SCHOOL DISTRICT

1. Private Acts of 1923, Chapter 64, created Northern's Special School District in part of the 9th Civil

District of Gibson County, including Northern's School House. The tax rate was 20¢ on every \$100 of taxable property and \$1 poll tax.

OAK GROVE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 369, created Oak Grove Special School District out of parts of the 14th and 23rd Civil Districts of Gibson County. The tax rate was 15¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1923, Chapter 120, amended the 1921 act to change the boundary.

OAK HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1923, Chapter 79, created Oak Hill Special School District in part of the 19th Civil District of Gibson County. The tax rate was 10¢ on every \$100 of taxable property; no poll tax.

PLEASANT HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 631, created Pleasant Hill Special School District in part of the 2nd Civil District of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1923, Chapter 373, repealed Private Acts of 1921, Chapter 631.

RUTHERFORD SPECIAL SCHOOL DISTRICT

1. Private Acts of 1947, Chapter 749, created Rutherford Special School District to include the town of Rutherford and surrounding areas. The act authorized up to \$50,000 school bonds, contingent upon voter approval, and imposed a tax of 30¢ on every \$100 of taxable property. No poll tax.
2. Private Acts of 1949, Chapter 698, amended the 1947 act to change provisions relating to the Board of Trustees, to raise the authorized amount of bonds to \$75,000 and to raise the tax rate to 50¢.
3. Private Acts of 1977, Chapter 25, amended the 1947 act with regard to the Board of Trustees, the school bonds, the tax provisions, and changed the boundary. This act contains an obvious typographical error by placing the amendatory language of Section 3, naming the trustees, in Section 2. The act was not to become effective until it received approval of the voters within the school district. This act was amended by Private Acts of 1977, Chapter 148, to make the act effective upon passage rather than submit it to a referendum vote. Chapter 148 contains a typographical error inasmuch as it purports to amend Private Acts of 1925, Chapter 25, rather than Chapter 25 of the 1977 act.
4. Private Acts of 1977, Chapter 148, amended Private Acts of 1977, Chapter 25, to reduce the face amount for each bond.
5. Private Acts of 1980, Chapter 340, amended the 1947 act to change the powers of the Board of Trustees, to change the boundary, and to change the tax rate to "not more than" 50¢. The effectiveness of this act was conditioned upon local ratification by the voters within the school district. The notation of the Secretary of State indicates that no local action was taken, and the act is not in force. However, the Tennessee Supreme Court has since held that the effectiveness of an act cannot constitutionally be conditioned upon local voter approval within a special school district. In *Gibson County Special School District v. Palmer*, 691 S.W.2d 544 (Tenn. 1985), the court applied the doctrine of elision to strike the local referendum requirement.
6. Private Acts of 1983, Chapter 62, amended Private Acts of 1949, Chapter 698, as previously amended, to lower the tax rate to "not more than" 35¢.

SCHOOL DISTRICT NO. 27

1. * Acts of 1907, Chapter 55, created "School District No. 27 of Gibson County, Tenn." out of part of the 9th and 10th Civil Districts. No tax.

SCHOOL DISTRICT NO. 30

1. * Acts of 1905, Chapter 243, created School District No. 30 in the 8th Civil District of Gibson County. No tax.

SCHOOL DISTRICT NO. 35

1. * Acts of 1907, Chapter 60, created School District No. 35 in part of the 8th and 9th Civil Districts of Gibson County. No tax.

SCHOOL DISTRICT NO. 53

1. * Acts of 1901, Chapter 425, created School District No. 53. No tax.

SPECIAL SCHOOL DISTRICT IN NINTH AND TENTH CIVIL DISTRICTS

1. * Private Acts of 1917, Chapter 551, created a special school district to be known as "Special School District No. _____ of Gibson County, Tennessee" out of part of the 9th and 10th Civil Districts. No tax.

SPECIAL SCHOOL DISTRICT FOR TWENTY-SECOND CIVIL DISTRICT

1. * Private Acts of 1917, Chapter 550, made the 22nd Civil District of Gibson County a special school district, to be designated "a Special School District". No tax.

SPRING HILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1923, Chapter 587, created "Spring Hill" Special School District out of part of the 5th and 6th Civil Districts of Gibson County. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.

SPRINGHILL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1951, Chapter 505, created "Springhill" Special School District out of the 6th and part of the 16th Civil Districts of Gibson County. The act authorized the issuance of \$80,000 school bonds, subject to approval by referendum in the school district. The tax rate was 60¢ on every \$100 of taxable property. No general repealer clause, leaving the status of Spring Hill Special School District created in 1923 unclear.

UNION ACADEMY DISTRICT NO. 68

1. * Acts of 1905, Chapter 133, created Union Academy District No. 68 in the 21st Civil District of Gibson County. No tax.

UNION ACADEMY SPECIAL SCHOOL DISTRICT

1. Private Acts of 1921, Chapter 229, created the Union Academy Special School District in part of the 21st Civil District of Gibson County. The tax rate was 15¢ on every \$100 of taxable property and \$1 poll tax.

UNION CENTRAL SPECIAL SCHOOL DISTRICT

1. Private Acts of 1915, Chapter 625, created Union Central Special School District in the 12th and 13th Civil Districts of Gibson County. No tax.
2. Private Acts of 1919, Chapter 701, amended the 1915 act to assess a school tax of 30¢ on every \$100 of taxable property and \$1 poll tax to support and maintain the schools.
3. Private Acts of 1920 (Ex. Sess.), Chapter 12, amended Private Acts of 1919, Chapter 701, to change the property tax rate to 10¢.
4. Private Acts of 1921, Chapter 703, amended Private Acts of 1919, Chapter 701, to change the property tax rate to 20¢.
5. Private Acts of 1923, Chapter 16, amended Private Acts of 1915, Chapter 625, to fix the property tax rate at 35¢.

UNION GROVE AND PORTER'S GROVE SCHOOL DISTRICT

1. * Acts of 1901, Chapter 473, created Union Grove and Porter's Grove School District out of parts of Gibson and Crockett Counties. No tax.

WALNUT GROVE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 355, created Walnut Grove Special School District out of parts of the 6th and 16th Civil Districts. The tax rate was 25¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 98, amended the 1919 act to lower the property tax rate to 12¢.
3. Private Acts of 1921, Chapter 617, created (another) Walnut Grove Special School District in the 15th Civil District of Gibson County. The tax rate was 10¢ on every \$100 of taxable property; no poll tax.

WEST SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 497, created West Special School District out of part of the 1st Civil District of Gibson County, including the village of West. The tax rate was 50¢ on every \$100 of taxable property and \$1 poll tax.
2. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted West Special School District from this general tax act which reduced tax rates proportionally with new assessments.

WHITE HALL SPECIAL SCHOOL DISTRICT

1. * Private Acts of 1917, Chapter 731, created White Hall Special School District out of part of the 12th Civil District of Gibson County. No tax.

YORKVILLE SPECIAL SCHOOL DISTRICT

1. Private Acts of 1917, Chapter 322, established "Yorkville Special School District" out of part of the 8th Civil District of Gibson County, including the town of Yorkville. The act authorized a \$10,000 school bond issue, and assessed a tax of 40¢ on every \$100 of taxable property within the district and a \$1 poll tax to pay off the bonds. This act was amended by Private Acts of 1919, Chapter 714, to change the boundary.
2. Public Acts of 1920 (Ex. Sess.), Chapter 22, exempted Yorkville Special School District from this general tax act which reduced tax rates proportionally with new assessments.
3. Private Acts of 1921, Chapter 646, authorized the Yorkville Special School District to issue \$7,500 of school bonds.
4. Private Acts of 1925, Chapter 467, as amended by Private Acts of 1939, Chapter 548, purported to abolish all special school districts in Gibson County, but retained a tax of 20¢ on property in the Yorkville Special School District to pay the outstanding bond indebtedness. This act was later held unconstitutional by the Tennessee Supreme Court in *Melvin v. Bradford Special School District*, 212 S.W.2d 668 (Tenn. 1948).
5. Private Acts of 1931, Chapter 65, authorized the issuance of \$2,000 of school bonds which had been authorized by Private Acts of 1917, Chapter 322, but which had not been issued. A tax of 40¢ on every \$100 of taxable property within the school district was levied for the years 1934-1937.
6. Private Acts of 1931, Chapter 490, authorized the issuance of \$2,000 of school bonds which had been authorized by Private Acts of 1917, Chapter 322, but which had not been issued. A tax of 5¢ on every \$100 of taxable property within the school district was levied for the years 1931-1933, and 25¢ for the years 1934-1937.
7. Private Acts of 1931, Chapter 577, appointed members of the board of directors for the Yorkville Special School District after some of the last board had died, to serve until their successors had been elected.
8. Private Acts of 1939, Chapter 164, authorized a \$2,000 school bond issue.
9. Private Acts of 1947, Chapter 687, created "Yorkville Special School District" which included the town of Yorkville and certain adjoining areas. The act made no reference to the prior school district or the act creating it. The act authorized the issuance of \$75,000 of school bonds, contingent upon approval of a majority of the voters within the school district. A tax of 30¢ on every \$100 of taxable property was levied.
10. Private Acts of 1949, Chapter 331, repealed both acts which had created Yorkville Special School District (Private Acts of 1917, Chapter 322, and Private Acts of 1947, Chapter 687). The 1949 act contains a typographical error in that it refers to "Chapter 627" instead of "Chapter 687" as being the 1947 act creating Yorkville Special School District.
11. Private Acts of 1949, Chapter 796, created Yorkville Special School District. The act authorized a \$75,000 school bond issue conditioned upon approval of a majority of the voters within the district, and levied a tax of 45¢/\$100 of taxable property.
12. Private Acts of 1953, Chapter 157, created Yorkville Special School District out of the entire 8th Civil District of Gibson County. The act authorized the issuance of up to \$45,000 school bonds, and imposed a tax of 45¢/\$100, conditioned upon approval by referendum in the district.

ZION SPECIAL SCHOOL DISTRICT

1. Private Acts of 1919, Chapter 563, created Zion Special School District out of part of the 2nd Civil District of Gibson County. The tax rate was 40¢ on every \$100 of taxable property and \$1 poll tax.
2. Private Acts of 1920 (Ex. Sess.), Chapter 9, amended the 1919 act to lower the property tax rate to 20¢.
3. Private Acts of 1921, Chapter 345, amended the 1919 act to change the boundary.

* Asterisks denote those Special School Districts which were not taxing districts and were abolished by Public Acts of 1925, Chapter 115.

Board of Education

The following acts once affected the board of education in Gibson County but are no longer operative.

1. Acts of 1907, Chapter 236, abolished the office of District Director and created a County Board of Education in each county in Tennessee, with the exception of certain specified counties which were exempted from the act. Gibson County was not exempt.
2. Private Acts of 1915, Chapter 375, exempted Gibson County from the provisions of Acts of 1907, Chapter 236.
3. Private Acts of 1933, Chapter 335, validated a contract which the Gibson County Board of Education had made with C. S. McMinn and authorized the Board to compensate him for his year's service as a teacher, even though he had not been certified to teach in Tennessee.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Gibson County, but are no longer operative.

1. Public Acts of 1895, Chapter 155, made it a misdemeanor in counties with a population over 30,000 for a county superintendent of public instruction to teach in public schools. The act was superseded by T.C.A. § 49-2-301(g), which makes it a misdemeanor for any superintendent to be a teacher or principal in any school.
2. Private Acts of 1933, Chapter 80, as amended by Private Acts of 1941, Chapter 73, provided for a county superintendent of public instruction to be elected by qualified voters every four years.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Gibson County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1829, Chapter 109, incorporated Trenton Academy as the county academy for Gibson County.
2. Private Acts of 1831, Chapter 16, incorporated Trenton Female Academy.
3. Private Acts of 1915, Chapter 324, provided for the apportionment of school funds among school districts in Gibson County in proportion to scholastic population.
4. Private Acts of 1923, Chapter 500, provided for the distribution of elementary school funds on the basis of scholastic population.
5. Private Acts of 1931, Chapter 459, abolished the office of attendance officer in Gibson County and placed the duties of executing warrants and other process issued under the compulsory school attendance law in the sheriff, his deputies and the county constables. This act was repealed by Private Acts of 1935, Chapter 764. The position of attendance teacher is now governed by T.C.A. § 49-6-3006.

Chapter VII - Elections

Elections - Historical Notes

The following is a listing of acts for Gibson 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. Acts of 1842 (Ex. Sess.), Chapter 1, placed the counties of Gibson, Carroll, and Dyer in the 22nd Senatorial District which would elect one senator. Gibson County would elect one representative. This act was repealed by Public Acts of 1978, Chapter 597, having been superseded by Title 3, Chapter I of the Tennessee Code Annotated.
2. Acts of 1842 (Ex. Sess.), Chapter 7, placed Perry, Henderson, Madison, Carroll, Gibson, Weakley and Obion Counties in the II th Congressional District.
3. Public Acts of 1861-62, Chapter 48, placed Gibson and Madison Counties in the 22nd Senatorial District which would elect one state senator. The act provided that Gibson County would elect one state representative and the counties of Gibson, Henry, Weakley, Madison and Carroll jointly would elect one representative.
4. Private Acts of 1943, Chapter 46, provided that the polls in Gibson County in all elections for President, Vice-President, U.S. Senator and Representative, Governor, members of the General

Assembly, Judges, Circuit and County Court Clerks, District Attorneys, Sheriffs, Trustees, Registers, Constables and Justices of the Peace, were to remain open from 9:00 a.m. until 7:00 p.m.

5. Private Acts of 1945, Chapter 490, required that election officials keep the polls in Milan open until 7:00 p.m.
6. Private Acts of 1945, Chapter 493, made the 1943 act applicable to all elections for general offices of the United States, the State of Tennessee, and Gibson County.

Chapter VIII - Health

Respite Care Program

Public Acts of 1996 Chapter 803

COMPILER'S NOTE: The following act is a public act of special application and is not codified in Tennessee Code Annotated.

SECTION 1. There is created a program to provide respite care to caregivers who are responsible for caring for ill or disabled persons. The county office on aging shall be responsible for administering the provisions of such program. The county office on aging shall establish criteria for participation in such program and shall contract with public and private entities as necessary to provide program services. Such office shall seek to maximize federal, state, local and private funds available for such services. It is the intention of such program to allow persons to stay home in a home environment whenever possible and to assist caregivers in such a manner as to allow such persons to remain in their home rather than requiring such person to move to an assisted care facility or nursing home. In order for such caregivers to provide such assistance, respite care services must be available.

SECTION 2. The provisions of this act shall only apply in any county having a population of not less than forty-six thousand (46,000) nor more than forty-six thousand five hundred (46,500) according to the 1990 federal census of population or any subsequent federal census.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 24, 1996.

Public Acts of 1997 Chapter 381

COMPILER'S NOTE: The following act is a public act of special application and is not codified in Tennessee Code Annotated.

SECTION 1. There is created a program to provide respite care to caregivers who are responsible for caring for ill or disabled persons. The county office on aging shall be responsible for administering the provisions of such program. The county office on aging shall establish criteria for participation in such program and shall contract with public and private entities as necessary to provide program services. Such office shall seek to maximize federal, state, local and private funds available for such services. It is the intention of such program to allow persons to stay in a home environment whenever possible and to assist caregivers in such a manner as to allow such persons to remain in their home rather than requiring such persons to move to an assisted care facility or nursing home. In order for such caregivers to provide such assistance, respite care services must be available.

SECTION 2. The provisions of this act shall not constitute an appropriation of funds and no funds shall be obligated or expended pursuant to the provisions of this act unless such funds are specifically appropriated by the General Appropriations Act.

SECTION 3. The provisions of this act shall only apply in any county having a population of not less than forty-six thousand (46,000) nor more than forty-six thousand five hundred (46,500) according to the 1990 Federal Census or any subsequent Federal Census.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 26, 1997.

Public Acts of 1998 Chapter 1029

COMPILER'S NOTE: The following act is a public act of special application and is not codified in

Tennessee Code Annotated.

SECTION 1. The program created by Chapter 803 of the Public Acts of 1996, as amended by Chapter 381 of the Public Acts of 1997, to provide respite care to caregivers who are responsible for caring for ill or disabled persons is continued. The county office on aging shall be responsible for administering the provisions of such program. The county office on aging shall establish criteria for participation in such program and shall contract with public and private entities as necessary to provide program services. Such office shall seek to maximize federal, state, local and private funds available for such services. It is the intention of such program to allow persons to stay in a home environment whenever possible and to assist caregivers in such a manner as to allow such persons to remain in their home rather than requiring such persons to move to an assisted care facility or nursing home. In order for such caregivers to provide such assistance, respite care services must be available.

SECTION 2. The provisions of this act shall not constitute an appropriation of funds and no funds shall be obligated or expended pursuant to the provisions of this act unless such funds are specifically appropriated by the General Appropriations Act.

SECTION 3. The provisions of this act shall only apply in any county having a population of not less than forty-six thousand (46,000) nor more than forty-six thousand five hundred (46,500) according to the 1990 Federal Census or subsequent Federal Census.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 29, 1998.

Chapter IX - Highways and Roads

Road Funds

Private Acts of 1945 Chapter 346

SECTION 1. That in all Counties of said State that have a population of not less than 44,835 nor more than 44,900 as shown by the Federal Census of 1940, be and the same are hereby authorized and empowered to transfer funds from any account in the Trustees' Offices, except funds for educational, highway and Social Security purposes, and Trust funds, to the Highway or Road Funds of said Counties by a recorded vote of three-fourths (3/4) of all the Justices of the Peace constituting the Court of any of said Counties.

SECTION 2. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed and this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 21, 1945.

Road Law

Private Acts of 1929 Chapter 111

COMPILER'S NOTE: The following act applies to counties having a population of not less than 43,000 nor more than 43,400 according to the Federal Census of 1920 or any subsequent Federal Census (Gibson County). This introductory language was deleted from Section 1 of the original act by the 1961 amendment.

SECTION 1. That at the July Session of the Quarterly County Court, 1962, the said Court by and through its members, the Justices of the Peace composing said Court, shall elect a Road Commissioner from each of the Road Districts of their County to serve as Highway Commissioner from said Road Districts on said Highway Commission, said commissioners shall be citizens and residents of the respective Road District for which elected. For Road District Number One, said commissioner shall be elected to serve one year from September 1st, 1962; for Road District Number Two said commissioner shall be elected to serve two years from September 1st, 1962; for Road District Number Three, said commissioner shall be elected to serve Three Years from September 1st, 1962; for Road District Number Four, said commissioner shall be elected to serve Four Years from September 1st, 1962; and for Road District Number Five said commissioner shall be elected to serve for a period of Five Years beginning September 1st, 1962.

The succeeding Quarterly Courts in the July Sessions, shall elect a successor to the Commissioner whose term of office shall expire on the following September 1st, for a term of Five Years and the term of office

of each and every Road Commissioner, elected the July Session of such Court, shall be for a period of Five Years, beginning September 1st following said election, and all successors of said Commissioners shall be elected by the said Quarterly County Court at its Third or July Session of said Court; and each Road Commissioner shall serve for the period for which he is elected or until his successor is elected and duly sworn into office, and should a vacancy occur by death, removal, or resignation of any Road Commissioner so chosen by said Court, said vacancy shall be filled by the election of a Road Commissioner at a subsequent regular term of said Court after such a vacancy occurs to serve until the next regular election in July of said court before said term made vacant should expire and the successor should be sworn into office. The County Judge of said County shall be ex-officio a member of said Gibson County Highway Commission and shall be ex-officio Chairman of said Commission.

As amended by:

Private Acts of 1935, Chapter 709

Private Acts of 1947, Chapter 708

Private Acts of 1953, Chapter 488

Private Acts of 1961, Chapter 109

SECTION 2. That each Commissioner so elected shall within ten days after his election qualify by subscribing to an oath to faithfully and impartially perform the duties of his office and giving a good and solvent bond, payable to the State of Tennessee, in the sum of Five Thousand Dollars (\$5,000.00), conditioned that he will faithfully perform the duties of said office and for the faithful accounting of any and all funds which may come into his custody, care, or control, or in the custody, care and control of said Commission, the cost and expenses of said bond, if any, to be paid out of the Highway funds of said County in the manner hereinafter provided for the payment of highway expenses. The County Judges shall not be required to subscribe to said oath, or execute said bond, for the reason that they are already under bond and have subscribed to their oaths of office and further bond and further oath shall not be necessary.

SECTION 3. That within ten days after the election of said five commissioners, the six members of said County Highway Commission shall organize, with the County Judge as chairman and they shall elect a vice-chairman and a secretary, each of whom shall serve for one year, or until their successors are elected and qualified, or there shall be a reorganization of said Commission.

It shall be the duty of the chairman to preside at all meetings of the Commission; to see that the minutes of all proceedings are properly kept and to sign the same; to carefully inspect all accounts presented for payment and all vouchers issued in order to determine their correctness and to sign all orders, or vouchers, on the County trustee for the payment of funds, each and all of such orders and vouchers shall be written or printed in ink and signed. The Chairman shall also act as executive officer of the Commission and shall attend to the disposition of all matters needing attention when said Commission is not actually in session.

In the absence of the chairman, or his inability to act, his duties shall be performed by the vice-chairman.

The Secretary shall keep minutes of all the proceedings of the Commission in a well bound book provided for that purpose, shall do and perform all other duties usually and customarily performed by a Secretary, and any and all such other duties as may be imposed upon him by said Commission.

As amended by:

Private Acts of 1935, Chapter 709

SECTION 4. That as compensation for their services as Commissioners, they shall each receive the sum of One Hundred Dollars (\$100) each month.

As amended by:

Private Acts of 1937, Chapter 567

Private Acts of 1972, Chapter 294

SECTION 5. That no person shall be eligible to be elected as a Commissioner unless he be a resident and a free holder in said County in which he is elected and of the road district for which he is elected, and no member of the County Court shall be eligible to be elected as a member of said Commission.

SECTION 6. That if a Commissioner shall cease to be a resident of said County in which he is elected, or for any other reason becomes disqualified to serve as such Commissioner, or whose term has expired, his office shall become vacated and such vacancy shall be filled at the next regular term of the Quarterly County Court, of said County, when a successor, qualified as herein-above set out, shall be elected to fill out the unexpired term of the Commissioner whose retirement from said Commission created said vacancy.

SECTION 7. That in each County coming within the provisions of this Act there is hereby created the office of County Road Supervisor. To be eligible to be elected as Road Supervisor one shall have had at least one year study in road engineering in a reputable school where such is taught and three years of practical experience in road building.

Said County Road Supervisor shall be elected by not less than a majority of the said Commissioners and immediately after the organization of said Commission, and he shall serve for such length of time as by

the Commission shall be deemed proper and necessary and as long as his services are satisfactory to them. He shall serve in said capacity until his successor is elected and qualified and it shall be the duty of said County Road Supervisor to have the direct supervision and control of any and all work and labor done upon any of the roads, highways, bridges, or levees of the County, not under State supervision, and the same shall be done according to surveys, plans, specifications and blue prints prepared by him and under his supervision and control, under the orders and directions of said Commissioners and it shall be his duty to make repeated and continual inspections of all roads, highways, bridges and levees of the County, and to keep the same in a good state of repair and safe for the use and travel of the public over and upon the same and he shall be directly responsible to said Commissioners for the conditions of all roads, highways, bridges and levees in said County.

The compensation or salary of the said County Road Supervisor shall be fixed by the said Commissioners, the same to be paid him monthly by the County Trustee out of the road funds of the County, upon a warrant for the same drawn and signed by the Chairman of said Commission, countersigned by the Secretary, and upon the written order of the said County Road Supervisor.

The Commissioners shall furnish the said County Road Supervisor a conveyance and shall maintain and bear all expenses of the upkeep of the same in order that he may perform his duties, in going over the County in the inspection of said roads, highways, bridges and levees as herein provided, but the same shall not be used by him on private business or for pleasure.

The said County Road Supervisor shall at all times be subject to the orders and directions of the Commission and shall promptly and faithfully do and perform any and all duties that may be imposed upon him by said Commission.

As amended by:

Private Acts of 1939, Chapter 227

COMPILER'S NOTE: The Tennessee County Uniform Highway Law, codified in Title 54, Chapter 7 of Tennessee Code Annotated, has superseded or expanded portions of this section and other sections. The qualifications of a "Chief Administrative Officer" (which includes among its definitions county road supervisor) elected after 1974 are set out at T.C.A. § 54-7-104. The salary of the Chief Administrative Officer, under T.C.A. § 54-7-106, must be at least 10% higher than the salary of the county trustee. Under T.C.A. § 54-7-108, the Chief Administrative Officer must post a \$100,000 bond. The duties of the Chief Administrative Officer under the County Uniform Highway Law are greater than those of the road supervisor under this act. Tennessee Attorney General Opinion U89-60 details the manner in which the provisions of this private act conflict with the County Uniform Highway Law. Although T.C.A. § 54-7-105 sets a four-year term for Chief Administrative Officers, that section (as amended by Public Acts of 1980, Chapter 669) exempts Gibson County from its provisions. Public Acts of 1980, Chapter 669, requires approval of 2/3 of the county legislative body, however, and the Secretary of State has no record that the act was ever approved.

SECTION 8. That no one of the Highway Commissioners, or the County Road Supervisor, or either of them, shall at any time be interested, either of them, shall at any time be interested, either directly or indirectly, financially, or otherwise, in the acceptance of any contract, or the doing and performing of any work or labor, in the sale of any material, or in the purchase of tools, machinery or appliances of any kind or character, or in the construction, maintenance, or repairing of any of the roads, highways, bridges, or levees of said County and should any of those named become so interested, a vacancy shall be declared to exist in their said office and a successor elected.

SECTION 9. That the County Road Supervisor shall have the right, with the approval of the Commissioners, to employ one or more superintendents, or foremen, and shall have direct supervision and control of all of the roads, highways, bridges and levee work of said County and shall have the right to employ all labor and it shall be his duty to make proper and timely requisition on the County Commission to buy material for road, highway, bridge and levee work and he shall supervise all of the work to be done on any and all such roads, highways, bridges and levees, and shall have supervision of any work that may be done by prisoners and by persons subject to road labor in said County, but said County Road Supervisor shall do and perform said duties subject to the authority, orders, directions, and instructions of the said County Commissioners, and shall be responsible to them for the full performance of his duties.

The said Supervisor shall warn in all persons subject to road duty, according to the provisions hereinafter set out in this Act, and he shall have control, management and custody of all road tools, machinery and material and shall do and perform any and all such other duties as said County Commissioners may prescribe.

COMPILER'S NOTE: The first paragraph of this section conflicts with the County Uniform Highway Law. See Op. Tenn. Atty. Gen. U89-60 and 88-01.

SECTION 10. That the County Commissioners, in the buying of materials, or in the construction, repairing, or doing of any work on said roads, highways, bridges and levees, ordered purchased or done

by said Commission, shall advertise for bids and purchase such material, or let such contracts as said Commission may at any time deem proper or necessary, in order to secure the most economical and advantageous results; Provided, however, that purchases up to the amount of One Hundred (\$100.00) Dollars may be made without prior approval of the Commission, purchases over One Hundred (\$100.00) Dollars but under Five Hundred (\$500.00) Dollars may be made through open bids, but shall have prior approval of a majority of the Commission at a regular meeting; all purchases over Five Hundred (\$500.00) Dollars shall be made by receiving sealed bids and the Commission shall have the authority to reject any or all bids, but shall accept the lowest and best bid if any are accepted.

As amended by: Private Acts of 1947, Chapter 708

SECTION 11. That the said County Commissioners shall keep and maintain a public office, which shall be located in the County seat of the County in which said Commission has jurisdiction, which said office may be kept open on each business day within reasonable hours, and where the records, papers and documents connected with the administration of the roads, highways, bridges, and levees of said County shall be kept open for the free inspection of the public for any one desiring to examine same, but nothing in this Section shall be construed so as to make it mandatory upon said Commission to keep anyone constantly at said office, or to employ anyone to remain constantly in said office.

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SECTION 12. That in addition to the above, the County Commission is hereby given and clothed with the following duties and charged with the proper execution and administration of said duties, to wit:

1. Said Commission shall hold regular meetings at least once each month, and oftener if necessary, the Chairman and any two members of said Commission shall constitute a quorum for the dispatch of business coming before them. Said Commission may be called by the Chairman, or in his absence by the vice-chairman, and in the event the Chairman fails to call said Commission the same may be called together upon the written call of a majority number thereof.
2. Said Commission, at its organization meeting and at the time when its vice-chairman and secretary are elected, shall enter an order designating the chairman, who is the County Judge as hereinbefore provided, as the County's representative and agent and in dealing with the State Highway Department and in all relations between the County and the State the said Chairman, with the concurrence and approval of a majority of said County Highway Commission, shall be recognized as the County's representative and his designation as such shall be properly certified to the Highway Department of Tennessee by proper certificate of the County Court Clerk.
3. Said Commission shall have the general charge and control of all roads, highways, bridges and levees in the County and shall have the exclusive charge and control of all expenditures of road, highway, bridge, and levee funds of said County, and they shall have the right and power and authority to make any necessary and proper orders for, or to do and perform any and all construction, reconstruction, grading, ditching, repairing and otherwise maintaining any and all roads, highways, bridges and levees in said County, except as herein provided.

COMPILER'S NOTE: This subsection may conflict with the County Uniform Highway Law.

4. The said County Commission shall lay out and classify all public roads of the County, divide the same into sections, or divisions as may be necessary for their proper and efficient construction and maintenance, to make or have made a map or maps of all of said roads, highways, bridges and levees of the County, which shall be kept in well bound books, suitable for the purpose.
5. The County Commissioners shall have full charge and control of the Workhouses of said Counties and the prisoners sentenced to the same end [and*] shall have the supervision of the work of County and State prisoners on the roads, and make any and all proper regulations concerning same.

COMPILER'S NOTE: The Private Acts of 1939, Chapter 227, added the language giving the commissioners charge of the workhouses and its prisoners. The word "end" probably was intended to be "and." The provisions of Subsection 5 have been superseded in part by Title 41, Chapter 2 of Tennessee Code Annotated which deals with County Workhouses. T.C.A. § 41-2123 governs road work done by prisoners.

6. The said County Commissioners shall purchase all necessary implements, machinery, tools and material and provide for the proper storing and safe keeping of the same.
7. The said Commissioners shall make a detailed written report to the Quarterly County Court of the County in which it is elected, on the first Monday in January of each year and said report shall be a complete statement of all work done and ordered done, and all of the funds received and expended and shall also include a complete inventory showing all of the implements, machinery, tools and material then on hand and the approximate value of the same.

8. Between the date of the passage of this Act and the election of said Highway Commissioners by the Quarterly Courts at their regular January 1930 meeting, the Commissioners acting until said date shall lay off into four [five*] road districts each of the counties to which this Act applies and shall fully set out on the minutes kept by them a complete description of said road districts in said respective Counties and the Civil Districts included in each of said four [five*] road districts and shall file with the Clerk of the County Court of said County a complete description of said four [five*] road districts in each of said Counties.

COMPILER'S NOTE: Private Acts of 1935, Chapter 709, amended the "several section" of the 1927 act to increase the number of road districts to five and directed the Highway Commissioners to meet as soon as practicable after the passage of the 1935 act to redistrict Gibson County into five road districts instead of four, but no specific amendments to particular sections of the act were made.

9. The said Commissioners shall employ and pay out of funds in their hands an independent firm of certified public accountants to audit the records of said Commission annually and such audit shall be made at the end of the fiscal year under which said Commission shall operate. The report of said audit to be published in at least one County newspaper. Provided, further, that an audit shall be made of said records within not less than 30 nor more than 90 days after the passage of this Act.

As amended by:

Private Acts of 1935, Chapter 709

Private Acts of 1939, Chapter 227

Private Acts of 1947, Chapter 708

SECTION 13. That nothing be done under the provisions of this Act which will interfere in any way with the performance of their duties by any special highway Commission or Committee which has been appointed for any special purpose by any Legislative Enactment, or County Court Resolution, or both, or which may be hereafter passed by the General Assembly of the State of Tennessee to locate, contract, build and maintain any special highways, roads, bridges or levees in any of said Counties, and nothing in this Act shall be construed to in any way include Federal and State, or State-aid roads, or any roads and highways over which the Federal or State government shall assume the construction or maintenance of in conformity with existing or future legislation that may be had touching on such matters. Said Commissioners shall co-operate with the Federal Government of the United States and the State Highway Department of Tennessee, in the security and maintenance of a uniform, co-ordinate and efficient system of highways in the County, but the duties of this Commission expressly applies only to what are known as County roads and not to Federal, or State-aid roads, over which said Commission shall have no jurisdiction.

SECTION 14. That said Commission shall have the right to open, close, change, restore, or widen any of the public roads of the County and to procure rights of way for such roads, either by purchase, gift or condemnation. In case any rights of way be procured by purchase or gift, deed shall be taken on the same in the name of the County, which said deed shall be duly recorded in the County where the land lies. If such rights of way be not secured by purchase or gift, then if the Commission votes to condemn same the County shall proceed by condemnation in the form and manner as now prescribed by the general law of the State of Tennessee to acquire such rights of way.

SECTION 15. That it shall be the duty of the Quarterly County Court of each County coming within the provisions of this Act, at the next July meeting following the passage of the Act, to levy a tax on all taxable property in the County of not less than Twenty (20c) and not more than One (\$1.00) Dollar on each One Hundred Cents of taxable property for road, highway, bridge and levee purposes, and thereafter the County Courts of said Counties at the same time each year that other County taxes are levied, shall continue to annually levy said taxes, and all funds thus derived from said levy shall be used in the construction and maintenance of roads, highways, bridges and levees of the County, and the other proper and necessary expenditures as provided for herein, but nothing in this Act shall prevent any County from issuing bonds, and levying additional taxes to pay the principal and interest on same, for roads, highways, bridges and levee purposes, either under authority already given by law, or under authority that may be hereinafter granted by law.

COMPILER'S NOTE: The reference in the paragraph above to a tax of not less than 200 nor more than \$1 on each "One Hundred Cents" is an obvious error, and probably was intended to read "One Hundred Dollars".

The taxes above provided for shall be collected by the County Trustee as other taxes are now collected provided, however, that the above taxes, when so levied, shall be lieu of all taxes on such property for highway, road, bridge and levee purposes.

The proceeds of any taxes levied under this section in excess of Forty (40c) Cents shall be distributed seventy-five per cent to the County and twenty-five per cent to the incorporated towns located in the

County. Seventy-five per cent of the proceeds of said tax in excess of Forty (40c) Cents shall be used for County purposes as provided in this Act. The twenty-five per cent distributed to incorporated towns shall be used by said incorporated towns for the purpose of building and maintaining streets. That portion of said taxes distributed to the incorporated towns shall be prorated on the basis of the population of said incorporated towns according to the Federal Census of 1940, or any subsequent Federal Census; distribution of said funds to the incorporated towns shall be made by the County Trustee.

As amended by: Private Acts of 1949, Chapter 757

SECTION 16. That any and all moneys taxes, fees, fines and forfeitures, from whatever source derived except as otherwise provided heretofore by Legislative enactment, or by County Court resolutions belonging to either the road, highway, bridge, or levee funds of the County, shall be paid into the hands of the Trustee, and shall be accounted for by him, and shall be kept separate and apart from all other funds, but the County trustee is hereby specifically relieved of the necessity of keeping any such funds, collected from any civil District of any such County, separate and apart of itself, and on the contrary said County Trustee shall throw such funds into one general fund, and keep and maintain it as a general fund to be known as "The road fund of the County."

The County trustee shall under no circumstances, at any time, expend any of such funds except upon the order of warrant drawn upon him in ink, ordered by the County Commissioners, said warrant setting out the amount thereof, both in words, and figures, and duly signed by the Chairman of said Commission and the secretary thereof, and said County trustee shall be permitted the same compensation on such moneys so received and expended as he is allowed now by law on road, bridge, levee and other funds by him handled, and no more.

SECTION 17. That all male inhabitants of the County to which this Act applies, between ages of twenty-one and forty-five years, except those living within the limits of any incorporated town, or such as have been, or may be released by the County Court from road duty, as the law provides, shall work on the public roads of the County and Civil District in which he resides, not less than six days, each day of ten hours, each year, after receiving three days notice, either verbal or written, from the County Highway Commissioners, or its representative, which notice shall state the time and place that the said labor shall be performed, provided, however, that every person subject to road duty shall be exempt from same for such year by paying to the County trustee, on or before the first day of October of each year, the sum of Three Dollars (\$3.00), which sum shall be placed by the County trustee to the credit of the road fund of the County.

Any person subject to road duty as aforesaid, who shall refuse or neglect to perform such labor, after having received warning thereof, as above provided, and shall fail to commute as above provided, shall be guilty of a misdemeanor and on conviction shall be fined not less than Two Dollars (\$2.00) and costs and in addition One Dollar (\$1.00) each day that he is notified to work and fails to work as aforesaid, but the total fine not to exceed Twenty-five Dollars (\$25.00), and the said fine, when collected, shall be paid into the hands of the County trustee and credited to the road fund of the County, and such defendants not paying, or securing said fine and costs, shall be committed to the County workhouse until same shall have been paid, secured or worked out.

SECTION 18. That it shall be the duty of the County Road Supervisor to prepare each year and file with the Commissioners, not later than February 1, a list of all persons in the County subject to road duty, which list may be supplemented at any time so as to include any and all persons thereafter subject to road duty and the County Highway Commissioners shall give to each and every such person an opportunity to commute and pay as aforesaid and after October 1st of each year the trustee shall furnish the County Highway Commissioners a list of all persons who have not paid or commuted as herein provided.

SECTION 19. That it shall hereby be made the duty of said Commissioners to see that the County Road Supervisor warns in each person subject to road duty, and it is the duty of the Supervisor to either have the labor required of each person so subject to such duty fully and completely performed by him, or to collect his commutation money, or else cause his arrest and cite him for trial under the provisions of this Act. Every Justice of the Peace of said Counties shall have jurisdiction in any and all such cases for the violation of this provision of this Act and shall have all of the powers vested in him as is now provided by law in misdemeanor cases.

SECTION 20. That in each and all of the Counties coming with the provisions of this Act, the office, or position of County Road Commissioners and that of District Road Commissioners, are hereby abolished.

SECTION 21. That all laws, or parts of laws in conflict with any of the terms and provisions of this Act, be and the same are hereby in all things repealed.

SECTION 22. That in the event of any section, or sections, or parts of any section, or sections, of this Act being declared by any of the Courts of the State having proper jurisdiction thereof, to be void, such

holding of the Court shall not in any way render ineffective or invalid any of the remaining portions or sections of the Act.

SECTION 23. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: February 1, 1929.

Highways and Roads - Historical Notes

The following is a listing of acts which once had some effect upon the county road system in Gibson County, but which are no longer operative.

1. Acts of 1855-56, Chapter 251, authorized the County Court of Gibson County to sell the State's interest in the Forked Deer Turnpike Company, and to pay the funds from the sale to the State treasury.
2. Acts of 1909, Chapter 16, created a road commission in Gibson County, consisting of three members to be appointed by the quarterly county court for terms of two years. The act contained provisions for a tax levy to maintain the county road system.
3. Private Acts of 1913, Chapter 173, required the quarterly county court at its October 1913 session to elect a road commissioner from each civil district. Each of these district road supervisors was to have complete control of all bridges, levees, and culverts in his district and was to oversee the "road duty" of his district. This act provided that all able-bodied males between the ages of twenty-one and forty-five years were subject to road duty. A tax levy was authorized for the upkeep and construction of the county roads. This act was amended by Private Acts of 1921, Chapter 545, to provide that the District Road Commissioners were to be elected by the Gibson County voters.
4. Private Acts of 1935, Chapter 694, authorized the Highway Commission of Gibson County to make a proper and final settlement with Ewell White of Rutherford, Tennessee, for injuries he sustained while employed by the Highway Department.
5. Private Acts of 1937, Chapter 566, validated the action of the Gibson County Quarterly Court authorizing an increase in the budget of the County Highway Commission for the budget year 1936-37.
6. Private Acts of 1979, Chapter 144, would have amended Private Acts of 1929, Chapter 111, Section 15, by deleting the provision which distributed taxes in excess of 40¢ per \$100 property valuation, giving three-fourths to the county and one-fourth to the cities, all to be used for road purposes. Chapter 144 was rejected by the Gibson County Legislative Body on July 16, 1979.
7. Private Acts of 1990, Chapter 127, would have amended Private Acts of 1929, Chapter 111, to provide for six highway commissioners, one being the county executive and the remaining five members being members of the county legislative body. The act also would have set qualifications for county road supervisor, and would have generally revised and updated the county highway law. This act was rejected by the county legislative body on March 12, 1990.
8. Private Acts of 1999, Chapter 13, amended Private Acts of 1929, Chapter 111, by adding and new section 20 proposing a caucus meeting to be held once a year of the road commissioners in each of the five road districts to review the points on proposed roads for construction and to prioritize roads to be reconstructed in the respective district during the coming year. This act was rejected by the county legislative body on May 10, 1999.

Chapter X - Law Enforcement

Law Enforcement - Historical Notes

Jails and Prisoners

The following acts once affected jails and prisoners in Gibson County, but are no longer operative.

1. Private Acts of 1929, Chapter 111, as amended by Private Acts of 1939, Chapter 227, gave the Gibson County Highway Commission "full charge and control" over the county workhouse and its prisoners.
2. Private Acts of 1957, Chapter 77, authorized Gibson County to establish a county penal farm. According to the Secretary of State's certification, this act was rejected by the Quarterly County Court.

Militia

Those acts once affecting Gibson County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order.

1. Private Acts of 1823, Chapter 111, created Gibson County and provided that the militia would compose the regiment and be attached to brigade. (Blanks appear in original act.)
2. Private Acts of 1824, Chapter 40, designated the Gibson County militia as the 84th Regiment, attached to the 13th Brigade along with Henderson, Carroll, Henry, Weakley, Obion and Dyer Counties.
3. Public Acts of 1825, Chapter 69, revised the State militia laws. All free men and servants between the ages of 18 and 45 were required to serve in the militia, except judges, secretary of state, treasurers, ministers, justices of the peace, public ferry men, keepers of the grist mills, and postal officers and mail carriers. Gibson County militia composed the 84th Regiment, attached to the 13th Brigade, and would hold regimental musters on the third Saturday in October each year.
4. Acts of 1837-38, Chapter 157, set the dates for the annual drill of the 19th Brigade in Gibson County on the Monday and Tuesday following the first Friday and Saturday in September.
5. Acts of 1845-46, Chapter 109, provided that the commissioned militia officers in Gibson County were to hold drill musters at the county seat in each year preceding their regimental musters.

Sheriff

The following acts have no current effect but are included here for reference purposes since they once applied to the Gibson County Sheriff's Office. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1837-38, Chapter 35, directed the state treasurer to pay \$400 to the former sheriff and collector of Gibson County, John W. Needham.
2. Private Acts of 1923, Chapter 319, set the compensation of the Gibson County Sheriff at all of the fees collected by the Sheriff's office. That act was repealed by Private Acts of 1925, Chapter 416.
3. Private Acts of 1933, Chapter 777, limited the compensation of Sheriffs in Gibson County to \$3,000 per year.
4. Private Acts of 1957, Chapter 78, would have enabled the Quarterly County Court to increase or supplement the Sheriff's salary above the amount provided by general law. This act was not presented to the Quarterly County Court according to the certification of the Secretary of State, and therefore never became law.

Chapter XI - Public Utilities

Gibson County Utility District

Private Acts of 1953 Chapter 192

SECTION 1. That an Order of the County Court entered by the County Judge of Gibson County, Tennessee on June 29, 1951 creating the Gibson County Utility District of Gibson County, Tennessee and having as its territorial limits all that area presently served by the Gibson County Utility District of Gibson County, Tennessee, including but not limited to all of the Civil Districts of Gibson County, Tennessee, with the exception of the area presently served by the Humboldt Municipal Utility Department of Humboldt, Tennessee, and appointing J. O. Long of Trenton, Tennessee, C. C. Berry of Dyer, Tennessee, and Floyd Burrow of Milan, Tennessee as Commissioners of said District, is hereby validated, legalized and confirmed.

As amended by: Private Acts of 1990, Chapter 197

SECTION 2. That the minutes of the organization meeting of the Board of Commissioners on July 5, 1951, wherein C. C. Berry was elected as President of the Board and Floyd Burrow was elected Secretary of the Board, is hereby validated, legalized and confirmed.

SECTION 3. That the Resolutions adopted by the Board of Commissioners naming L. E. Haguewood, Rutherford, Tennessee, for a term of five years, and Joe Warren, Kenton, Tennessee, for term of six years as Co-Commissioners of said District is hereby validated, legalized and confirmed, and the said Co-Commissioners shall henceforth be known and designated as Commissioners and, together and equally with the Commissioners appointed by the County Court as aforesaid, shall constitute the Board of Commissioners of the Gibson County Utility District of Gibson County, Tennessee.

SECTION 4. Notwithstanding the provisions of this chapter or any other law to the contrary, the Gibson County Utility District of Gibson County, Tennessee, shall be governed by a board of commissioners,

members of which shall be elected by the people at the county general elections in 2002 and every two (2) years thereafter. The Commissioners shall be elected from all of the voting precincts of Gibson County, with the exception of the area served by the Humboldt Municipal Utility Department of Humboldt, Tennessee. The Gibson County Legislative Body shall periodically prescribe and apportion electoral districts for the board of commissioners in such a way that the principle of "one man, one vote" is followed as closely as possible, without dividing voting precincts. Individuals may run for the office of commissioner from the district in which they reside or own property.

The terms of the commissioners of the Gibson County Utility District taking office September 1, 2002, shall be staggered as follows:

District No. 1 - -4 years
 District No. 2 - -2 years
 District No. 3 - -4 years
 District No. 4 - -2 years
 District No. 5 - -4 years

Thereafter, each commissioner shall be elected to a four (4) year term. The commissioners taking office September 1, 2002, shall serve no more than two (2) full four-year terms in addition to any term of less than four (4) years.

In the event of a vacancy in the office of commissioners as a result of death, resignation, removal or moving from the district from which the commissioner is elected, the county executive, with the approval of the county legislative body, shall have the power to appoint a qualified person to fill such vacancy.

All other duties, rights, compensation, and powers of the Commissioners of the Gibson County Utility district shall be governed by the Utility District Act of 1937.

As amended by: Private Acts of 2002, Chapter 141

SECTION 5. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 19, 1953.

Waterworks System

Public Acts of 1973 Chapter 194

COMPILER'S NOTE: The following act purports to amend Tennessee Code Annotated, Title 53, Chapter 20. However, Title 53 contains only 14 chapters to date. The general law pertaining to Water and Waterworks Companies is found in Title 65, Chapter 27. This act is a public act of local application, and has not been codified in Tennessee Code Annotated.

SECTION 1. Chapter 20 of Title 53 of Tennessee Code Annotated is amended by adding a new section as follows:

Notwithstanding any provision of the law to the contrary, any waterworks system in counties having a population of not less than 47,400 nor more than 50,000, according to the Federal Census of 1970, or any subsequent census, may use pipe made of poly vinyl chloride solvent weld, commonly known as and hereinafter referred to as PVC, for distribution of a public water supply, if it complies with the provisions of this section. The minimum requirements for the use of PVC pipe shall be the National Sanitation Foundation Standard 14, and U. S. Department of Commerce Standards PS-22-70, and the American Society for Testing and Material ASTM D2241-SDR-PR for potable water and all fittings approved by such standards applicable to the use of PVC pipe, including tapped couplings with AWWA and IPS tap and the minimum class of such pipe shall meet a standard of one hundred sixty (160) pounds per square inch working pressure.

SECTION 2. This Act shall not apply to counties of this state having populations, according to the U. S. Census of Population of 1970 or any subsequent census, as follows:

not less than 17,300 nor more than 18,000
 not less than 24,300 nor more than 24,500
 not less than 58,000 nor more than 60,000
 not less than 13,000 nor more than 13,500
 not less than 29,100 nor more than 29,500
 not less than 43,000 nor more than 43,750
 not less than 15,000 nor more than 16,000

not less than 45,000 nor more than 47,775

not less than 22,000 nor more than 22,400

not less than 29,000 nor more than 29,100

SECTION 3. This Act shall take effect on becoming a law, the public welfare requiring

Passed: April 30, 1973.

Public Utilities - Historical Notes

The following acts were superseded, repealed or failed to win local ratification, but they are listed here as a reference to laws which once affected public utilities in Gibson County.

1. Acts of 1909, Chapter 245, authorized the issuance of a single charter for the operation of water, electric and ice companies, so that the same entity could operate waterworks, ice plants, electric lighting plants, and water, ice and electric power plants or systems in cities and towns with a population of less than 5,000 in Gibson, Lauderdale, and Sevier Counties. This act subsequently was declared unconstitutional in *Etowah Light and Power Co. v. Yancey*, 197 F. 845 (E.D. Tenn. 1911).
2. Private Acts of 1927, Chapter 661, validated and cured any defects in the sale, lease or rental of water, electric, or other municipally owned utilities prior to the passage of the act, in Gibson, Carroll, Dyer, Henry and Weakley Counties. (This act was repealed as to Weakley County only, by Private Acts of 1975, Chapter 97.)
3. Private Acts of 1990, Chapter 163, was an alternative bill introduced at the same session as Private Acts of 1990, Chapter 197, and would have amended Private Acts of 1953, Chapter 192 (creation of Gibson County Utility District, reproduced hereinabove), with no change to Section 1. No action was taken by the county legislative body, and the act never went into effect.
4. Private Acts of 2016, Chapter 34, would have amended Private Acts of 1953, Chapter 192, as amended by Private Acts of 1990, Chapter 197 and Private Acts of 2002, Chapter 141, with regard to commissioners taking office September 1, 2002, however, the Act was not approved locally.

Chapter XII - Taxation

Assessor of Property

Additional Duties

Private Acts of 1929 Chapter 751

SECTION 1. It shall be the duty of Tax Assessors in all counties within the State of Tennessee, falling within the provisions of this Act, having a population of not less than 43,375, and not more than 43,395, according to the Federal Census of 1920, or any subsequent Federal Census, to maintain and keep open an office at the Court House, at the County Seat, between the hours of 8:00 o'clock A.M., and 4:30 o'clock, P.M., daily. In addition, the Quarterly County Court is hereby authorized, empowered and directed to employ a clerk to assist the Tax Assessor in the performance of his duties and to fix the compensation for such clerk. The clerk shall serve at the pleasure of the Quarterly County Court. At the first meeting of the Quarterly County Court, occurring after the passage and ratification of this Act, the County Judge shall appoint two members of the Court, who, with the County Tax Assessor, shall recommend to the Quarterly County Court, the name of a suitable person to be employed as clerk.

The Clerk is hereby authorized to stamp, or cause to be stamped, all deeds presented at the office of the Tax Assessor, showing that the names of the vendor and vendee of the deed, have been copied onto the assessment rolls, so that the rolls will accurately reflect the name or names of the persons who own the property conveyed. The Tax Assessor's stamp shall be imprinted upon all deeds before the same are filed for registration in the Office of the Register of Deeds.

In the event the Tax Assessor fails to comply with the provisions of this Act, he shall be removed from office as provided by Section 8-2701, et seq., Tennessee Code Annotated.

As amended by:
Private Acts of 1959, Chapter 112
Private Acts of 1961, Chapter 207

SECTION 2. That all tax or assessment books in all Counties falling within the provision of this Act shall be made up and issued from the office of the County Tax Assessor at the County Seat, where his office is

kept, either by the Tax Assessor or by some deputy capable of making up such books.

As amended by: Private Acts of 1945, Chapter 142

SECTION 3. That all persons, firms, or corporations conveying real estate by deed in all counties in the State of Tennessee, falling within the provisions of this Act, shall within thirty (30) days from the date of such conveyance, by letter posted in the United States mail, notify the County Tax Assessor of the name of the person, firm or corporation to whom such conveyance is made.

SECTION 4. That the Tax Assessors of all Counties falling within the provisions of this Act are hereby authorized to appoint one or more Deputy Tax Assessors whose duties are to work under and by the direction of the County Assessor, wherever assigned[.] The County Tax Assessor [sic] shall be paid the sum of Fifty (\$50.00) Dollars per month for the purpose of defraying office expenses and clerical help, which shall be in addition to his regular salary or compensation.

As amended by: Private Acts of 1945, Chapter 142

COMPILER'S NOTE: Private Acts of 1945, Chapter 142, provides that "the County Trustee of all such counties will pay the County Tax Assessor said sum of Fifty (\$50.00) Dollars each and every month out of the general fund of said counties upon the warrant drawn by the County Judge or Chairman of said counties, either by a separate warrant or included with his regular salary or compensation." The act, however, does not specify a section in which to include this language.

SECTION 5. That all laws or parts of laws in conflict with the provisions of this Act, be and the same are hereby repealed.

SECTION 6. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 11, 1929.

Litigation Tax

Private Acts of 1965 Chapter 211

SECTION 1. That there is hereby created a Law Library Commission of Humboldt, Gibson County, Tennessee, which shall be composed of three (3) members, two (2) of which shall be attorneys enrolled in the Law Court of Humboldt, Gibson County, Tennessee and maintaining a full time law office within the territorial jurisdiction of said Court; the third member shall be the Clerk of said Court.

The two attorney members of said Commission shall be elected by members of the Gibson County Bar on the 26th day of April, 1965, at 10:00 o'clock A.M., said election to be held in the Courtroom in the City Hall at Humboldt, Tennessee. Notice of the time, date and purpose of said election shall be sent to all attorneys eligible to be members of said Commission at least five (5) [sic] days prior to said election, and they shall elect the attorney members to serve for a period of two (2) years. Thereafter, attorney members of the Commission shall be elected biennially on the fourth Monday in April and the Clerk of said Court shall give at least five (5) days notice of said election to all attorneys eligible for membership.

The members of the Commission shall elect from among its membership a Chairman and a Secretary. The members of this Commission shall receive no compensation for their services as such.

SECTION 2. That on and after the effective date of this Act, a litigation tax of \$1.00 shall be taxed as a part of the costs in all cases, both criminal and civil, filed in all Courts operating within the territorial jurisdiction of the Humboldt Law Court.

Said tax shall be collected by the Clerk of each Court and shall be paid into a separate fund which shall be designated as the Humboldt Law Library fund. Said fund shall be maintained by the Clerk of the Humboldt Law Court, and expenditures from said fund for the purposes herein authorized and empowered shall be made by checks signed by the Chairman and Secretary of the Commission upon proper authorization of the Commission.

As amended by: Private Acts of 1972, Chapter 212

SECTION 3. That the Commission shall have the following powers and authority:

- a. To establish and maintain a Law Library for the use of the courts, judges, public officials, attorneys, and the public.
- b. To acquire by gift, purchase, loan, or otherwise, such codes, treatises, court reports, and other books, periodicals, and services which shall be deemed beneficial for those authorized to use the same.
- c. To acquire in like manner furniture, equipment and supplies useful for the establishment and operation of the Law Library.
- d. To make such rules and regulations governing the operation and use of the Law Library.

- e. The Commission shall be responsible for the protection and safekeeping of the Law Library, its contents, equipment and supplies, and shall have authority to exclude from using the facilities of such Library any persons who should cause any damage to the equipment, fixtures or contents thereof, or who refuses to conform with the rules and regulations promulgated by the Commission.
- f. To borrow money and pledge the revenues from the tax hereinabove provided for the payment of the same.

SECTION 4. That the Commission shall hold regular meetings and special meetings upon the call of the Chairman. Two (2) persons shall constitute a quorum, and the affirmative vote of at least two (2) members shall be necessary for any affirmative action of the Commission. The Secretary shall keep the records of all meetings to reflect the action of the Commission.

SECTION 5. That upon the termination of the Commission, or any successor or successors to said Commission, by an Act of the General Assembly or otherwise, the Law Library, its contents, equipment and supplies, and all other property obtained by act of the Commission, shall become the property of Gibson County for the use and benefit of the residents of the Districts of Gibson County composing the territorial jurisdiction of the Humboldt Law Court.

SECTION 6. That if any provisions or clause of this Act or application thereof to any person or circumstance be held invalid, such invalidity shall not affect other provisions or application of the Act which can be given effect after the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7. That this Act shall have no effect unless the same shall be approved by a two-thirds (2/3) vote of the Quarterly Court of Gibson County, Tennessee at its next regular meeting held more than ten (10) days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the County Judge and shall be certified by him to the Secretary of State.

SECTION 8. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 19, 1965.

COMPILER'S NOTE: On the same day the legislature passed the foregoing act (Senate Bill No. 933), it also passed an alternate bill, Private Acts of 1965, Chapter 247 (House Bill No. 1056), which would have created a Courtroom and Law Library Commission, but the alternate act did not receive local approval.

Hotels and Motels

Private Acts of 1985 Chapter 37

SECTION 1. As used in this Act unless the context otherwise requires:

- (a) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.
- (b) "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist camp, tourist court, tourist cabin, motel or any place in which rooms, lodgings or accommodations are furnished to transients for consideration.
- (c) "Occupancy" means the use or possession or the right to the use or possession, of any room, lodgings or accommodations in any hotel.
- (d) "Transient" means any person who exercises occupancy or is entitled to occupancy for any rooms, lodgings or accommodations in a hotel for a period of less than ninety (90) continuous days.
- (e) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person.
- (f) "Operator" means the person operating the hotel whether as owner, lessee or otherwise.

SECTION 2. The legislative body of Gibson County is authorized to levy a privilege tax upon the privilege of occupancy in any hotel of each transient in an amount not to exceed four percent (4%) of the consideration charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this Act.

SECTION 3. Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of his hotel and to be given directly or transmitted to the transient and shall be collected by such operator from the transient and remitted to the county.

When the transient has maintained occupancy for ninety (90) continuous days, he shall receive from the operator a refund or credit for the tax previously collected from or charged to him, and the operator shall receive credit for the amount of such tax if previously paid or reported to the county.

SECTION 4. The tax hereby levied shall be remitted by all operators who lease, rent or charge for any hotel room within the county to the county clerk, such tax to be remitted to such officer not later than the 20th day of each month for the preceding month. The operator is hereby required to collect the tax from the transient at the time of the presentation of the invoice for such occupancy whether prior to occupancy or after occupancy as may be the custom of the operator, and if credit is granted by the operator to the transient; then the obligations to the county entitled to such tax shall be that of the operator.

SECTION 5. The clerk shall be responsible for the collection of such tax. A monthly tax return under oath shall be filed with the clerk by the operator with such number of copies thereof as the clerk may reasonably require for the collection of such tax. The report of the operator shall include such facts and information as may be deemed reasonable for the verification of the tax due. The form of such report shall be developed by the clerk and approved by the county legislative body prior to use. The clerk shall audit each operator in the county at least once per year and shall report on the audits made on a quarterly basis to the county legislative body. The county legislative body is hereby authorized to adopt resolutions to provide reasonable rules and regulations for the implementation of the provisions of this Act.

SECTION 6. No operator of a hotel shall advertise or state in any manner whether directly or indirectly that the tax or any part thereof will be assumed or absorbed by the operator or that it will not be added to the rent, or that if added, any part will be refunded.

SECTION 7. Taxes collected by an operator which are not remitted to the county clerk on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at the rate of twelve percent (12%) per annum, and in addition for penalty of one percent (1%) for each month or fraction thereof such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Each occurrence of willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is hereby declared to be unlawful and shall be punishable upon conviction by a fine not in excess of fifty dollars (\$50.00).

SECTION 8. It shall be the duty of every operator liable for the collection and payment to the county of any tax imposed by this Act to keep and preserve for a period of three (3) years all records as may be necessary to determine the amount of such tax as he may have been liable for the collection of and payment to the county, which records the county clerk shall have the right to inspect at all reasonable times.

SECTION 9. The county clerk in administering and enforcing the provisions of this Act shall have as additional powers, those powers and duties with respect to collecting taxes as provided in Title 67 of Tennessee Code Annotated or otherwise provided by law for the county clerks.

For his services in administering and enforcing the provisions of this Act, the county clerk shall be entitled to retain as a commission one percent (1%) of the taxes collected.

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedy provided in Tennessee Code Annotated, Title 67, Chapter 23, it being the intent of this Act that the provisions of law which apply to the recovery of state taxes illegally assessed and collected shall also apply to the tax levied under the authority of this Act. The county clerk shall also possess those powers and duties as provided in Tennessee Code Annotated, Section 67-2301, for the county clerks with respect to the adjustment and settlement with taxpayers all errors of county taxes collected by him under authority of this Act and to direct the refunding of same. Notice of any tax paid under protest shall be given to the county trustee and the resolution authorizing levy of the tax shall designate clerk [sic] and the resolution authorizing levy of the tax shall designate a county officer against whom suit may be brought for recovery.

SECTION 10. The county clerk is hereby charged with the duty of collection of the tax herein authorized and shall place the proceeds of such tax in the county general fund; provided, however, that such funds shall only be obligated or expended for the sole purpose of economic development of Gibson County by the Gibson County Industrial Committee.

SECTION 11. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Gibson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and shall be certified by him to the Secretary of State.

SECTION 13. 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, this Act shall take effect upon being approved as provided in Section 12.

Passed: April 3, 1985.

Motor Vehicles - Wheel Tax

Private Acts of 1975 Chapter 1

SECTION 1. For the privilege of using the public roads and highways, except State-maintained roads, in counties in this state having a population of not less than 47,800 nor more than 49,500, as determined by the Federal Population Census of 1970, or any subsequent federal census, there is levied upon motor driven vehicles and upon the privilege of the operation thereof, except farm tractors, self-propelled farm machinery not usually used for operation upon public highways or roads, motorized bicycles and motor-driven cycles, such as scooters and mopeds, and all government-owned vehicles, which shall pay no tax hereunder, a special privilege tax for the benefit of such counties, which tax shall be in addition to all other taxes, shall be equal to fifty dollars (\$50.00) per year for each motor vehicle, and shall be equal to fifteen dollars (\$15.00) per year for each motorcycle. The specific amount of the tax shall be determined by the Quarterly County Court of any county to which this Act applies.

This tax shall apply to and shall be paid on each motor vehicle whose owner resides, or usually stays, in counties to which this Act applies, and it shall be a misdemeanor and punishable as such for any resident of counties to which this Act applies to operate a motor vehicle, except farm tractors, self-propelled farm machinery not usually used for operation upon public highways or roads, motorized bicycles and motor-driven cycles, such as scooters and mopeds, and all government-owned vehicles, over the roads and highways of said counties, State-maintained roads excluded, without the payment of the tax herein provided.

Nothing in this Act shall be construed as permitting and authorizing the levy and collection of the tax against non-residents of the counties to which this Act applies, but the tax shall be levied only upon motor vehicles of residents of the counties to which this Act applies and within a reasonable construction of the provisions hereof.

As amended by:

Private Acts of 2017, Chapter 7.

SECTION 2. The tax herein levied shall be collected by the County Court Clerk of counties to which this Act applies at the same time that he collects the State privilege tax upon the operation of motor vehicles over the public highways. No clerk in counties to which this Act applies shall issue to a resident of such county a State license for the operation of a motor vehicle unless, at the same time, such resident shall purchase the appropriate license as herein provided for the operation of such motor vehicles under this Act. Payment of the license fee herein imposed shall be evidenced by a receipt issued by the clerk, and by a tag or emblem which shall be displayed appropriately upon some prominent part of the vehicle in question. The design of the tag or emblem and the place and manner of display on the vehicle shall be determined by the County Court Clerk, and the expense incident thereto shall be paid from the County General Fund. The tax herein levied shall entitle the owner of a vehicle to operate the same for a period of one year from March 1 until midnight on the last day of February of the next succeeding year, and the same proportionate reduction shall be made as is now made in the case of State registration of motor vehicles where such vehicle is registered after the required date for any reason whatsoever.

For his services in collecting this privilege tax and in designing, providing, and issuing the appropriate licenses and the receipts therefor, the County Court Clerk shall be entitled to a fee of seventy-five cents (75 cents) for each license so issued, to be collected from the person purchasing the license. The clerk shall faithfully account for, make proper reports of, and pay over to the trustee of the counties to which this Act applies, at monthly intervals, all funds paid to and received by him for the aforesaid privilege tax and fee, and such funds shall be applied as herein provided.

As amended by:

Private Acts of 2017, Chapter 7.

SECTION 3. The proceeds of the tax imposed in this act, when collected by the county trustee, shall be allocated to the Gibson County Highway Department.

As amended by:

Private Acts of 2017, Chapter 7.

SECTION 4. It is the intent of the General Assembly that this Act be construed as a measure providing for additional revenues in the counties affected.

SECTION 5. In the event any motor vehicle, for which the privilege tax has been paid and the tag or emblem issued therefor and placed thereon, becomes unusable or is destroyed or damaged to the extent that it can no longer be operated on the public roads and highways of said county, or in the event the owner of a vehicle for which the privilege tax has been paid transfers the title to such vehicle and removes therefrom and/or destroys the tag or emblem placed thereon or affixed thereto, and the owner makes proper application to the County Court Clerk for the issuance of a duplicate tag or emblem to be used by him on another vehicle for the unexpired term for which the original decal or emblem was issued, and the clerk is satisfied that the applicant for a duplicate tag or emblem is entitled to the issuance of such a duplicate, and the owner pays into the hands of the clerk the sum of seventy-five cents (75 cents), which is the clerk's fee for issuance of such duplicate tag or emblem, the clerk shall then issue to the owner a duplicate tag or emblem and a receipt for the issuance of such duplicate tag or emblem.

In the event a tag or emblem becomes obliterated, erased, defaced, destroyed, or otherwise illegible or unusable by the owner of the licensed vehicle, the clerk, upon proper application from the owner, showing such circumstances and facts to be true, may issue and deliver to the applicant a duplicate tag or emblem upon receipt of the clerk's fee of seventy-five cents (75 cents). The clerk shall also issue to the owner a receipt for the issuance of the duplicate tag or emblem.

The duplicate tag or emblem shall be displayed upon the licensed vehicle in the place and manner determined by the County Court Clerk, and such duplicate tag or emblem shall entitle the owner of the vehicle to drive the vehicle on the public roads and highways of such county for the remainder of the period for which the original tag or emblem was issued.

As amended by: Private Acts of 2017, Chapter 7.

SECTION 6. Any person violating the provisions of this Act, or of any part thereof, shall, upon conviction, be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00).

SECTION 7. 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 at any regular or special meeting of said Quarterly County Court held after its approval by the Governor or after its otherwise becoming a law. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or disapprove and shall be certified by him to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this Act as provided in Section 7, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, the provisions shall take effect upon approval as provided in Section 7, it being the legislative intent that the tax levied under this Act be collected for the tax year beginning March 1, 1975, and for each year thereafter.

Passed: February 27, 1975.

Taxation - Historical Notes

Assessor of Property

The following acts were superseded, repealed or failed to win local ratification, but they are listed here as a reference to laws which once affected the Gibson County Assessor.

1. Private Acts of 1919, Chapter 260, provided additional compensation of 10¢ for every property/poll assessment made by the County Tax Assessor for the various Special School Districts in Gibson County, to be paid out of the funds of the Special School District for which the assessment was made.
2. Private Acts of 1921, Chapter 131, set the salary for County Tax Assessor in Gibson County at \$2,400 per year.
3. Private Acts of 1949, Chapter 701, set the salary of the County Tax Assessor at \$3,600 per year.
4. Private Acts of 1959, Chapter 108, was passed the same day as, and appears identical to, Private Acts of 1959, Chapter 112. Both acts were amendments to Private Acts of 1929, Chapter 751 (reproduced hereinabove). Chapter 108 failed to gain local approval.
5. Private Acts of 1961, Chapter 208, set the salary of the County Tax Assessor at \$6,500 per year.

Taxation

The following is a listing of acts pertaining to taxation in Gibson County which are no longer effective.

1. Private Acts of 1826, Chapter 86, authorized the Court of Pleas and Quarter Sessions to levy a tax in Gibson County to build a courthouse and jail at Trenton.
2. Acts of 1837-38, Chapter 35, directed the state treasurer to pay \$400 to the former sheriff and collector of Gibson County, John W. Needham.
3. Public Acts of 1869-70, Chapter 51, provided that the Revenue Collector for Gibson County was to make all his reports for non-payment of taxes to the Circuit Court at Trenton.
4. Acts of 1907, Chapter 602, provided for assessment and collection of revenue for State, county and municipal taxes. This act was amended by Public Acts of 1925, Chapter 10, but Gibson County was exempted from the amendment.
5. Private Acts of 1913 (1st Ex. Sess.), Chapter 66, authorized the Quarterly County Court in Gibson County to levy a special school tax.
6. Private Acts of 1933, Chapter 556, provided for payment of county taxes in Gibson County in four quarterly installments.
7. Private Acts of 1967-68, Chapter 466, would have imposed a wheel tax in Gibson County, but the act failed to gain local approval.

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