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# Special School Districts

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Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

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# 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 tarable [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 is 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 (\$2.50) 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 (370) 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 (200) 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 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 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 (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 o 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 ( $\frac{1}{2}$ ) 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 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.

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