



May 18, 2024

Carroll

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

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

Sincerely,

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Carroll	5
Chapter I - Administration	6
Audit	6
Private Acts of 1927 Chapter 260	6
Budget System	7
Private Acts of 1937 Chapter 58	7
Purchasing	10
Private Acts of 1975 Chapter 23	10
Surety Bonds	14
Private Acts of 1927 Chapter 258	14
Administration - Historical Notes	14
Chapter II - Animals and Fish	19
Animals and Fish - Historical Notes	19
Chapter III - Bond Issues	19
Bond Issues - Historical Notes	19
Chapter IV - Boundaries	24
Creation of County	24
Public Acts of 1821 Chapter 32	24
County Seat	25
Private Acts of 1821 Chapter 201	25
Private Acts of 1822 Chapter 210	26
Change of Boundary Lines	27
Acts of 1849-50 Chapter 83	27
Public Acts of 1893 Chapter 3	27
Private Acts of 1949 Chapter 599	27
Boundaries - Historical Notes	28
Chapter V - Court System	28
Juvenile Court Clerk	28
Private Acts of 2000 Chapter 118	28
Court System - Historical Notes	28
Chapter VI - Education/Schools	34
Board of Education	34
Private Acts of 1931 Chapter 261	34
Private Acts of 1929 (Extra Session) Chapter 14	35
Private Acts of 1925 Chapter 776	35
Private Acts of 1967-68 Chapter 263	35
School Buses	36
Private Acts of 1931 Chapter 797	36
School Libraries	36
Private Acts of 1935 Chapter 354	36
Special School Districts	39
Hollow Rock-Bruceton	39
Private Acts of 1927 Chapter 317	39
Private Acts of 1929 Chapter 917	41
Private Acts of 1957 Chapter 294	42
Bonds	43
Private Acts of 1965 Chapter 3	43
Private Acts of 1967-68 Chapter 318	44
Private Acts of 1969 Chapter 4	45
Private Acts of 1977 Chapter 30	45
Private Acts of 1996 Chapter 180	46
Huntingdon	48
Private Acts of 1919 Chapter 374	48

Private Acts of 1957 Chapter 286	51
Bonds	53
Private Acts of 1977 Chapter 16	53
Notes	53
Private Acts of 1929 Chapter 33	53
McKenzie High School	54
Private Acts of 1917 Chapter 533	54
Private Acts of 2005 Chapter 67	57
Notes & Bonds	57
Private Acts of 1963 Chapter 220	57
Private Acts of 1970 Chapter 231	58
Private Acts of 1973 Chapter 107	59
Private Acts of 1996 Chapter 179	60
Private Acts of 2022 Chapter 51	62
Surplus Funds	63
Private Acts of 1970 Chapter 229	63
South Carroll	63
Private Acts of 1955 Chapter 278	63
Bonds	68
Private Acts of 1978 Chapter 210	68
Private Acts of 2008 Chapter 82	69
West Carroll	71
Private Acts of 1981 Chapter 109	71
Bonds	74
Private Acts of 1983 Chapter 30	74
Private Acts of 1984 Chapter 209	74
Private Acts of 1999 Chapter 29	76
Private Acts of 1997 Chapter 71	78
Surplus Bond Funds	78
Private Acts of 1971 Chapter 144	78
Teacher Retirement System	79
Private Acts of 1943 Chapter 437	79
Education/Schools - Historical Notes	79
Chapter VII - Elections	83
Special Election	83
Locating a State Prison in Carroll County	83
Private Acts of 2001 Chapter 33	83
Elections - Historical Notes	84
Chapter VIII - Health	86
Trust Fund to Assist Medically Indigent	86
Private Acts of 1983 Chapter 42	86
Health - Historical Notes	88
Chapter IX - Highways and Roads	88
Road Law	88
Private Acts of 1986 Chapter 148	88
Highways and Roads - Historical Notes	92
Chapter X - Law Enforcement	96
Sheriff	97
Civil Service Commission	97
Private Acts of 2000 Chapter 62	97
Law Enforcement - Historical Notes	99
Chapter XI - Taxation	100
Assessor of Property	100
Private Acts of 1945 Chapter 178	100

Table of Contents

Private Acts of 1967-68 Chapter 314 102
Litigation Tax 102
Private Acts of 1983 Chapter 84 102
Motor Vehicle Tax 103
Private Acts of 1976 Chapter 264 103
Severance Tax 104
Private Acts of 1980 Chapter 184 104
Taxation - Historical Notes 106

Carroll



Carroll County Courthouse

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Chapter I - Administration

Audit

Private Acts of 1927 Chapter 260

SECTION 1. That it shall be the duty of the County Judge or Chairman of the County Courts in counties of this State having a population of not more than 24,561 nor less than 24,361, according to the Federal Census of 1920 or any subsequent Federal Census, to have made, not less than every two years, and oftener, if sufficient cause should arise, an audit, by competent auditors or certified public accountants, of the books and records of all County officials, who handle, in any way, any County revenue, boards or commissions, including the County Judge or Chairman of the County Court, the County Court Clerk, Sheriff, County Trustee, Circuit Court Clerk, Clerk and Master, Superintendent of Public Instruction, County Board of Education, Special School Districts, Drainage Districts, Road Commissioners, Bridge and Levee Supervisor, Justices of the Peace, all other officials, board [sic] or commissions, who handle any County revenue of counties coming within the provisions of this Act. Whenever the term of office of any County official expires, he, she or they shall be checked out and a full settlement be made with the counties herein affected, before the new officials shall take the oath of office and such audit and settlement as shown shall be certified to the County Judge or Chairman.

SECTION 2. That it shall be the duty of the County Judge or Chairman of the County Courts of the counties herein affected to have such audit or audits made before the qualification date of any new official, it being the legislative intent of this Act, that no retiring official shall leave office without a final audit and settlement as herein is provided and that not any new official enter upon the duties of office until he, she or they be properly checked in and for the carrying out of this provision, any such retiring or new official shall give of such of his, her or their time, without compensation more than is paid such retiring official, as may be necessary for a proper functioning of this section, that retiring officials make proper settlements and new and incoming officials have full knowledge of condition of offices assumed. Such County Judge of [sic] County Chairman, in order to have such audit or audits made as is herein required, shall appoint a committee of three members from the Quarterly County Courts of such counties as come within the provisions of this Act, who with the County Judge or Chairman of such Court or Courts, shall compose the committee to have charge and control of such audit or audits, as such County Judge or Chairman may order. This committee shall first organize and they shall then have the power to make rules and regulations, to govern such audit or audits and is by this Act empowered to contract with auditors or certified accountants, by bids or otherwise; if bidding is used, such committee is given the right to reject any and all bids; they are by this Act given the authority to summon witnesses to appear before them and such auditors or accountants; to question such witnesses and pay any person failing or refusing to obey any such subpoena to appear and who fails or refuses to testify when called upon by such committee shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$10.00 nor more than \$25.00, and each time such party or parties refuse to answer any subpoena to appear and testify or refuses to give testimony by the answering of any question or the production of any record, book, file or paper, as may be demanded, each such refusal shall under this Act, constitute a separate offense. The cost of such audit or audits shall be paid out of the funds of the County, upon warrant drawn by the County Judge or Chairman, when such committee as may have charge of such audit or audits certifies to the County Judge or Chairman the completion of such audit.

SECTION 3. That it shall be the duty of such committee as mentioned in Section 2 of this Act, when the audit is completed to make a report, which shall include the findings of the auditors or accountants, to the Quarterly Court, either at a regular or called session of such Court, for such Court's consideration and action and such report shall be made a part of the record of such Court, in such manner as the membership thereof may prescribe.

SECTION 4. That any official, board or commission of any county hereof affected, who fails or refuses to deliver to such committee as named in Section 2 hereof, auditors, agents or attorneys of such committee or auditors, any record, file, book or paper, as may be required of them, being in their possession, having been in their possession or that come into their possession during such time as such audit may be in progress, or who attempts, in any way to interfere with, block in any manner a full and fair investigation and audit of his, her or their office, records, books, files, shall be deemed guilty of a misdemeanor and upon conviction be fined not less than \$10.00 nor more than \$50.00 for each offense.

SECTION 5. That any settlement by the paying into the County Treasury of any money, by any official, board or commission, so audited and who may be found indebted to any county or counties as may be

affected by this Act, is to be the final of such Act, that is to say, no such official, commission or board, shall have any right to make any demand for the return of such money paid by them, or to enter suit in any court, or allow same to be entered by agent or attorney for recovery of any such money as may have been paid, or produce any paper, file, receipt, book, record of any kind and claim a refund or payment back of any such money paid as herein set out, that was not produced during the course of such audit; and by the payment of such money is estopped from asking, suing or making any effort for the return of any sum for which he, she or they have already paid and for which proper credit has been given by such auditors or accountants.

SECTION 6. That it shall be the duty of such County Judge or Chairman to have a condensed report of such audit or audits made printed, at least one time, in each newspaper published in such county or counties as are herein affected and authority to pay the cost of such publication is given by this Act upon warrant drawn by such Judge or Chairman upon the Trustee of such county or counties.

SECTION 7. That any County Judge, or Chairman, whose county may come within the provisions of this Act, who fails or refuses to carry out the provisions herein set out, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10.00 nor more than \$50.00.

SECTION 8. That if any word, phrase or section of this Act be declared unconstitutional, that it will not effect [sic] or render invalid or unconstitutional the whole Act.

SECTION 9. That all laws or parts of laws in conflict with this Act, be, and the same are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 31, 1927.

COMPILER'S NOTE: General law dealing with audits of county officers and employees is found in Title 8, Chapter 15 of Tennessee Code Annotated. The auditor is required to furnish a bond.

Budget System

Private Acts of 1937 Chapter 58

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, as follows:

(a)The term "County Judge or Chairman" when used in this Act shall mean the County Judge or Chairman of Carroll County.

(b)The term "County Court Clerk" when used in this Act shall mean the County Court Clerk of Carroll County, Tennessee.

(c)The term "Sheriff" when used in this Act shall mean the Sheriff of Carroll County, Tennessee.

(d) The term "Trustee" when used in this Act shall mean the Trustee of Carroll County, Tennessee.

(e)The term "Circuit Court Clerk" when used in this Act shall mean the Circuit Court Clerk of Carroll County, Tennessee.

(f)The term "Register of Deeds" when used in this Act shall mean the Register of Deeds of Carroll County, Tennessee.

(g)The term "Highway Commissioners" when used in this Act shall mean the Commissioners of Highways of Carroll County, Tennessee.

(h)The term "Tax Assessor" when used in this Act shall mean the Tax Assessor of Carroll County, Tennessee.

(i) The term "Commissioner" when used in this Act shall mean any superintendent or person or persons appointed or elected by the Quarterly County Court over any department or institution of Carroll County.

(j) The term "Quarterly County Court" when used in this Act shall mean any Justice of the Peace that is a member of the County Court of Carroll County.

(k)The term "Clerk and Master" when used in this Act shall mean the Clerk of the Chancery Court of Carroll County.

(l) The term "County Superintendent" when used in this Act shall mean the County Superintendent of Schools of Carroll County.

(m) The term "School Board" when used in this Act shall mean the County Board of Education of Carroll County.

(n)The term "Budget" when used in this Act shall mean the appropriation of money appropriated by the County Court for each department or activity of Carroll County for the period shown by the adoption of the budget by the Quarterly County Court and any appropriation authorized by Statute.

(o)The term "Official of the County" when used in this Act shall mean any official authorized by the Quarterly County Court or the Statutes of the State of Tennessee to draw from the County Treasury and expend money of Carroll County.

(p)The term "Budget Committee" when used in this Act shall mean a committee of three members of the Quarterly County Court appointed [sic] by the Quarterly County Court of Carroll County as hereinafter provided.

(q)The term "Expenditure or Expend" when used in this Act shall mean the act of committing Carroll County to expend monies then and there in the County Treasury or to come into the County Treasury of Carroll County.

SECTION 2. That at least ninety days prior to the time when the annual tax levy or any part thereof is made, the Budget Committee of Carroll County shall prepare a budget containing a complete plan itemized and classified according to function and activity of all proposed expenditures and all estimated revenues by sources and borrowings for the County for the ensuing appropriation year, which shall begin on the first day of September of each year, or at such other date as may be provided for by law for the beginning of the appropriation year. Opposite each item of proposed expenditure, the budget shall show in separate parallel columns the amount appropriated for the preceding appropriation year, the amount expended during that year, the amount appropriated for the current appropriation year, and the increases or decreases in the proposed expenditures for the ensuing year as compared with the appropriation for the current year. This budget shall be accompanied by:

First: A statement of the contemplated revenues and disbursements, liabilities, reserves and surplus or deficit of Carroll County as of the date of the preparation of the budget.

Second: An itemized and complete financial balance sheet of each fund account of the said Carroll County at the close of the last preceding appropriation year.

SECTION 3. That a brief synopsis of the budget shall be published in a newspaper having general circulation in Carroll County, and notice given of one or more public hearings at least fifteen days prior to the date set for hearing, at which any citizen of the said Carroll County shall have the right to attend and state his views thereon. After such hearing is had, the Budget Committee shall submit to the Quarterly County Court with recommendation for adoption such budget as may be agreed upon. However, it shall not be mandatory upon the Quarterly County Court to adopt the budget recommended by the Budget Committee, but the Quarterly County Court shall by appropriate order adopt and enter on the minutes thereof a budget covering all expenditures for the County for the next appropriation year, itemized and classified as required by Section 2 of this Act, provided, however, that it is mandatory upon the Quarterly County Court to levy a tax rate, assuming that not more than 85% of all the total tax aggregate produced by such rate will be collected during the ensuing appropriation year, which will produce, together with the usual miscellaneous revenues and any unexpended balances carried over from the preceding appropriation year, an amount at least equal to the amounts appropriated in the budget so adopted by the Quarterly County Court.

SECTION 4. That the Budget Committee of Carroll County, may require the heads or other responsible representative of all departments, divisions, boards, commissions, agencies, or offices of said County to furnish such information as may be deemed advisable and in such form as may be required in relation to their respective affairs and activities.

SECTION 5. That the Quarterly County Court shall cause to be made out immediately preceding the regular October session of such Court in each and every year hereafter a statement showing the aggregate amount of the receipts and itemized disbursements of the twelve months period ending on the immediately preceding August 31st. A copy of such statement shall be posted at the front door of the Court House and published in one or more newspapers of the County.

SECTION 6. That it shall, likewise, be the duty of the School Board on or before the first Monday in April of each year to prepare and file with the Budget Committee an itemized statement or budget, as specified in Section 2 of this Act, of the funds which said Board estimates will be necessary for the maintenance and operation of the schools and expenses incident thereto for the year commencing the first day of September following the filing of such statement or budget.

SECTION 7. That the Quarterly County Court shall include in the county budget required by law and as a part thereof a budget for the schools of the County a brief synopsis of which shall be posted as required in Section 4, of this Act.

SECTION 8. That it shall be the duty of the County Judge or Chairman to install and maintain or to cause to be installed and maintained a set of accounts as prescribed by the Quarterly County Court or its representative, classified according to functions and activities, which will at all times reveal the amount appropriated, the amount expended to date chargeable against such appropriation, and the unexpended balance of such appropriation. Furthermore, it shall be the duty of each and every Official of the County before making an expenditure for any purpose whatsoever, whether it be for personal services, contractual services, materials and supplies, equipment, bounties and claims, pensions and relief contributions, or debt service to issue or cause to be issued to the County Judge or Chairman a requisition and to receive from the County Judge or Chairman a purchase order which among other things shall show the unexpended balance of the appropriation against which such purchase order or requisition has been charged.

SECTION 9. That any official of Carroll County that has the power, right, or authority to expend County Funds from the Treasury of the County or funds coming into the County Treasury from the State of Tennessee in excess of the monies or funds then and there actually in the Treasury of the County to the credit of his or her department of the County government or in excess of the budget adopted by the Quarterly County Court of Carroll County covering that certain period of time as shown by the budget, such County official making any overdrafts on the County Treasury or commitments in excess of the amount appropriated for the specific purpose for which the expenditure was made by the Quarterly County Court of Carroll County, shall be personally liable together with his sureties on his official bonds, to Carroll County for such overdrafts or over expenditures, and the County shall have cause of action of debt to recover from such official or officials and their bondsmen the amount of the overdraft or over expenditure with interest from date.

SECTION 10. That it shall be unlawful and a misdemeanor in office for any official or employee of Carroll County to draw, sign, issue, deliver, or to authorize the drawing, signing, issuance, or delivery of any purchase order, warrant or other commitment during the appropriation year when such warrant, purchase order or other commitment added to amounts previously expended shall exceed the appropriation made by the Quarterly County Court for the Specific purpose for which the expenditure is made. That it shall be mandatory upon the members of the Quarterly County Court to determine whether or not warrants or purchase orders or other commitments have been issued or made in violation of the intent of this Act and if warrants, purchase orders, or other commitments are found to have been issued in violation of the intent of this Act, it shall be mandatory upon the Court or its qualified representative to certify the facts to the District Attorney General for presentation to the Grand Jury at the next term of the Circuit Court; and it shall be the duty of the District Attorney General to present the facts to the said Grand Jury and to institute such other proceedings as may be necessary to give full effect to the provisions of this Act.

SECTION 11. That it shall be a misdemeanor in office for any official of the County, including the members of the Highway Commission, the members of the School Board, the County Superintendent, the County Judge, the County Court Clerk, the Circuit Court Clerk, the Sheriff, the Trustee, the Register of Deeds, the Clerk and Master, the Tax Assessor, or any other official of the County, to violate any provision of this Act, to fail or refuse to perform any of the duties placed upon them or any of them by this Act, and any such officer or official failing to perform the duties imposed by this Act or otherwise violating this Act, or who procures, aids, or abets in the violation of any provision of this Act, shall upon conviction thereof be subject to a fine not less than \$100.00, nor more than \$500.00 or by imprisonment for a period of not exceeding one year, or both, in the discretion of the Court, provided further that any County Official convicted under this Act, shall be subject to removal from office under the ouster laws of the State of Tennessee, and it shall be mandatory upon the Quarterly County Court to appropriate the necessary funds for the prosecution of such cause.

SECTION 12. That the Quarterly County Court shall at the April 1937 regular session of such Court, and at the expiration of each second calendar year period thereafter, elect a Budget Committee consisting of three members of the Court, such Budget Committee to receive as compensation for their services a per diem fee of \$3.00 for each and every day spent in the preparation of the budget, as hereinbefore specified; provided however, the total compensation of each member of the Committee shall not in any one appropriation year exceed the sum of \$48.00.

SECTION 13. That the holding of any section or part thereof, or any subsection, sentence, clause or phrase of this Act, to be void or ineffective for any cause, shall not effect [sic] any other section or part thereof of this Act. It is hereby declared, and shall be conclusively presumed, that this Act and each section, subsection, sentence, clause, and phrase thereof would have been passed and enacted, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional or void or ineffective for any cause.

SECTION 14. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed and this Act shall take effect from and after its passage, the public welfare requiring

it.

Passed: January 20, 1937.

Purchasing

Private Acts of 1975 Chapter 23

SECTION 1. Short title. - This Act shall be known as the "County Purchasing Law of Carroll County, Tennessee."

SECTION 2. County Purchasing Agent. - The Purchasing Agent shall be the duly elected County Judge of Carroll County, Tennessee, who shall serve during his elected term. Before assuming his duties, he shall execute a corporate surety bond; the amount of which shall be Twenty Five Thousand Dollars (\$25,000.00). Said bond shall be approved by the Quarterly Court and shall be recorded in the office of the Register of Deeds in the same manner as are the bonds of all county officials. The premium for such bond shall be paid from the County General Fund.

The compensation of such clerks and assistants as may be needed, and the other necessary expenses of this office shall be provided for by an annual appropriation made by the Quarterly County Court from the County General Fund.

The Purchasing Agent shall have power, in accordance with such regulation as may be established by the Purchasing Commission to appoint and remove his assistants, to prescribe their duties, and to fix their salaries within the limits of the annual appropriation made therefor.

SECTION 3. Office of Purchasing Agent. - Necessary office space and equipment for the use of the Purchasing Agent shall be provided and maintained at the county seat of such county. Such office shall be open for business during the usual hours observed by other officials of the county government.

SECTION 4. Duties and powers of Purchasing Agent. - The County Purchasing Agent shall have exclusive power and it shall be his duty:

- (a) To contract for and purchase all supplies, material, equipment and contractual services required by each and every official of the County Highway Department and Department of Transportation of Carroll County Schools and all administrative offices under the control of the county government which expends or encumbers any of the county funds. No other official, employee, or agent of the county or of any of its departments or agencies so named shall be authorized to contract for or purchase any such materials, supplies, equipment or contractual services, except that nothing in this act shall prevent or be construed as preventing the Carroll County Highway Department and Department of Transportation of Carroll County Schools from contracting for or purchasing any materials, supplies, equipment or contractual services wherein the amount of the expenditure is not in excess of two hundred fifty (\$250.00) dollars.
- (b) To arrange for the rental of machinery, buildings, or equipment when the rents are to be paid out of funds belonging to the county or any department, institution, or agency thereof as described in sub-section (a) and no other official, employee or agent of the county shall have the right or power to make any contract for such rental, except that nothing in this act shall prevent or be construed as preventing the Carroll County Highway Department and Department of Transportation of Carroll County Schools from arranging for the rental of machinery, buildings, or equipment wherein the amount of such rental expenditure is not in excess of two hundred fifty (\$250.00) dollars.
- (c) To transfer materials, supplies, and equipment to or between county departments and agencies as may be needed for the proper and efficient administration of the county government upon approval of the Purchasing Commission and agencies involved: [sic]
- (d) To have charge of any central storeroom or central mailing room or similar services which may hereafter be established for the efficient and economical handling of the county's business.
- (e) To arrange for an inventory of all county property and equipment in each department, such inventory to be kept current and coded for immediate public inspection. The County Purchasing Agent shall report quarterly to the County Purchasing Commission the inventory of each county department.
- (f) To perform such other duties and powers as the purchasing commission shall from time to time prescribe.

As amended by: Private Acts of 1981, Chapter 15

SECTION 5. County Purchasing Commission. - A County Purchasing Commission is hereby created. The commission shall consist of five (5) members, including the County Court Clerk, the County Trustee, and three (3) elected members of the Quarterly Court to be elected by the County Court.

The commission shall meet from time to time as it may deem necessary for the discharge of its duties and it shall be the duty of the County Purchasing Commission to approve the overall purchasing policies of the county and to establish and promulgate, in accordance with this Act, the rules, regulations and procedures to be followed in the making of purchases and contracts for purchase for the county, but the actual administration of such activities shall be the responsibility of the Purchasing Agent.

SECTION 6. Rules and regulations - Promulgation - Scope. - The County Purchasing Commission, with the assistance of the County Purchasing Agent in an advisory capacity, shall adopt, promulgate, and may from time to time amend, rules and regulations for the purchase of supplies, materials, equipment and contractual services and specifically for the following purposes:

- (a) Authorizing in writing, any department, official or agency of the county government, governed by this Act to make purchases in the open market for immediate delivery in emergencies, defining such emergencies, describing the manner in which such emergency purchases shall be made and promptly afterward reported to the County Purchasing Agent;
- (b) Prescribing the manner in which supplies, materials and equipment shall be required, purchased, delivered, stored, and distributed; and providing that such shall be conducted in accordance with the provisions of this Act;
- (c) Prescribing the dates for submitting requisitions and estimates, the future period that they are to cover, the form in which they are to be submitted, the manner of their authentication, and their revision by the County Purchasing Agent;
- (d) Prescribing the manner of inspecting all deliveries of supplies, materials and equipment, and of making or procuring chemical and physical tests of samples submitted with bids and samples of deliveries to determine compliance with specifications;
- (e) Requiring periodical and special reports by county departments, agencies and employees of stocks of surplus, unusable or obsolete supplies and equipment on hand and prescribing the form of such reports;
- (f) Providing for the transfer to or between county departments and agencies of supplies and equipment on hand, which are declared surplus with one department or agency, but which may be needed by another or others; and for the disposal by sale, after receipt of competitive bids, of supplies, materials and equipment, which are obsolete or unusable;
- (g) Determining whether a deposit or bond is to be submitted with a bid on a purchase contract or sale, and if required, prescribing the amount and form thereof, and providing that such surety shall be forfeited if the successful bidder refuses to enter into contract ten (10) days after the award;
- (h) Prescribing the manner in which invoices for supplies, materials, equipment and contractual services delivered to any and all departments, agencies, and offices of the county shall be submitted, examined and approved; and [sic]
- (i) Authority to contract with State Auditors or Certified Public Accountant Firm to set up the proper record keeping system for each department and shall make periodic audits to see that all records are being kept according to standard accounting practices.
- (j) Providing for all other such matters as may be necessary to give effect to the foregoing rules and to the provisions of this Act.

SECTION 7. Purchases and sales - Contracts for services - Competitive bids. - All purchases of and contracts for purchases of supplies, materials, equipment and contractual services, and all sales of county-owned property which has become surplus, obsolete, or unusable, shall be based wherever possible on competitive bids; but contracts for legal services, auditing services by certified public accountants, and similar services by professional persons or groups of high ethical standards, shall not be based upon competitive bids, but shall be awarded on the basis of recognized competence and integrity; provided further that bids need not be required for services for which the rate or price is fixed by a public authority by law to fix rates or prices.

The county may purchase materials, supplies, commodities, and equipment from any federal, state or local governmental units or agency, without conforming to the competitive bidding requirements of this Act.

If the amount of the expenditure or sale is estimated to exceed ten thousand dollars (\$10,000), sealed bids shall be solicited. The County Purchasing Agent shall solicit sealed bids by public notice inserted at

least once in a newspaper of countywide circulation five (5) days prior to the final date for submitting bids and by posting notices on a public bulletin board in the county courthouse. The County Purchasing Agent shall also, when deemed necessary or desirable, solicit sealed bids by sending requests by mail to prospective suppliers. All such notices shall include a general description of the commodities or contractual services to be purchased or property to be sold and shall state where bid blanks and specifications may be obtained and the time and place of opening bids. The County Purchasing Agent shall also, when deemed necessary or desirable, solicit sealed bids by sending requests by mail to prospective suppliers and by posting notices on a public bulletin board in the county courthouse.

All purchases or sales of less than ten thousand dollars (\$10,000) in amount may be made by the County Purchasing Agent in the open market without newspaper notice, but shall wherever possible be based upon at least three (3) competitive bids. Requisitions for items estimated to cost more than ten thousand dollars (\$10,000) shall not be subdivided in order to circumvent the requirement for public newspaper notice herein provided for. All sales by the Purchasing Agent shall be made to the highest responsible bidder.

As amended by: Private Acts of 1996, Chapter 128
Private Acts of 2008, Chapter 68

Bids on purchases shall in all cases be based on such standards as may be adopted and promulgated by the County Purchasing Agent and approved by the County Purchasing Commission; provided, further, that the Purchasing Commission shall have the authority to exclude non-biddable items from the provisions of this Act and the determination of the Purchasing Commission that an item is non-biddable shall be conclusive and final.

All open market purchase orders or contracts made by the County Purchasing Agent or in extreme emergencies by any county department or agency shall be awarded to the lowest and best bidder, taking into consideration the qualities of the articles to be supplied, their conformity with specifications, their suitability to the requirements of the county government, and the delivery to any or all bids may be rejected for good cause.

All bids taken under the requirements of this Act and all other documents, including purchase orders, pertaining to the award of contracts on such bids, shall be preserved for a period of five (5) years.

If all bids received on a pending contract are for the same unit price or total amount, the County Purchasing Agent shall have the authority to reject all bids and to purchase the required supplies, materials, equipment or contractual services in the open market, provided the price paid in the open market does not exceed the bid price.

All sealed bids received shall be opened publicly at the time and place fixed in the advertisement. Each bid, with the name and address of the bidder, shall be entered on a record, and each record with the names of the bidders, the amounts of their bids, and the name of the successful bidder indicated thereon, shall after the award or contract or order, be open to public inspection.

All contracts shall be approved as to form by the County Attorney and the original copy of each long-term contract shall be filed with the County Court Clerk.

No purchase shall be made or purchase order or contract of purchase issued but in consequence of a written requisition for the supplies, materials, equipment or contractual services required which requisition shall be signed by the head of the department, office or agency of the county requiring such articles or services.

Original copies of all such requisitions shall be kept on file in the office of the County Purchasing Agent.

The County Purchasing Agent is authorized to purchase and contract to purchase materials, supplies, equipment and contracts [sic] services on a fiscal year basis, but no commitment shall be made which extends beyond the end of the current fiscal year for which appropriations have been made by the County Court, except such commitments as are authorized by resolution of the County Court. In the determination of the county's annual needs of certain commodities and/or services, the County Purchasing Agent may request the various departments, offices and agencies of the county government to anticipate their needs for the remainder of the fiscal year and to issue their requisitions based upon such estimates.

The Highway Commission of Carroll County and Department of Transportation of Carroll County Schools are authorized to purchase and contract to purchase materials, supplies, equipment and contract services and to arrange for the rental of machinery, buildings or equipment wherein the amount of the expenditure for such purchase or rental does not exceed the sum of two hundred fifty (\$250.00) dollars. In all such cases involving expenditures of two hundred fifty dollars (\$250.00) or less, the Highway Commission and Department of Transportation of Carroll County Schools, shall solicit wherever possible at least three (3) competitive bids. The Highway Commission and Department of Transportation of Carroll County Schools shall issue a purchase order for each such expenditure and deliver that purchase order to the office of the

county purchasing agent before the close of the next working day following the date of such purchase or rental.

As amended by: Private Acts of 1981, Chapter 15
Private Acts of 1988, Chapter 128

SECTION 8. Balance sufficient to cover order or contract required - Exception. - Except in emergencies, no order for delivery on a contract or open market order for supplies, materials, equipment or contractual services for any county department or agency governed by this Act shall be awarded unless it shall be first certified by the County Judge, or other county official or employee in charge of the central accounting records of the county that the unencumbered balance in the appropriation chargeable with such purchase in excess of all unpaid obligations, is sufficient to defray the entire cost of such order or contract.

SECTION 9. Emergency purchases. - The County Purchasing Agency [sic] may authorize any department or agency of the county government to purchase in the open market, without filing requisition or estimate, any supplies, materials, or equipment for immediate delivery in actual emergencies, arising from unforeseen causes, including delays by contractors, delays in transportation, and unanticipated volume of work; but such emergencies shall not include conditions arising from neglect or indifference in anticipating normal needs. Such direct emergency purchases, however, may only be made by department or agency head at times when the office of the County Purchasing Agent is closed. At all other times, only the County Purchasing Agent shall make these purchases. A report of such emergency purchase, when made by a department or agency head, together with a record of the competitive bids secured and upon which it was based, shall be submitted in writing to the County Purchasing Agent before the close of the next working day following the date of such purchase, by the head of the county department or agency concerned, together with a full and complete account of the circumstances of such emergency. Such reports shall be kept on file and shall be open to public inspection.

SECTION 10. Written order evidencing purchases and contracts. - Each purchase order or contract issued or executed pursuant to the provisions of this Act shall be evidenced by a written order signed by the County Purchasing Agent, which shall give all significant details respecting such order or contract; however, in all cases involving purchases or rental expenditure not exceeding two hundred fifty (\$250.00) dollars, wherein the Highway Commission and Department of Transportation of Carroll County Schools are authorized to purchase and contract to purchase materials, supplies, equipment and contract services and to arrange for the rental of machinery, buildings or equipment, each purchase order or contract issued or executed shall be evidenced by a written order signed by a Highway Commissioner of the Carroll County Highway Department and School Superintendent of the Department of Transportation of Carroll County Schools. Copies of such orders or contracts shall be furnished and supplied to various parties in accordance with appropriate policies and regulations established by the County Purchasing Commission.

As amended by: Private Acts of 1981, Chapter 15

SECTION 11. Classification and standards of purchases. - It shall be the duty of the County Purchasing Commission to classify the requirements of the county government for supplies, materials and equipment; to adopt as standards the smallest number of quantities, sizes and varieties of such supplies, materials, and equipment, consistent with the successful operation of the county government; and to prepare; [sic] adopt and promulgate written specifications describing such standards.

In the preparation and revision of such standards the County Purchasing Commission shall seek the advice, assistance, and cooperation of the county departments and agencies concerned, to ascertain their precise requirements; and each specification adopted for any commodity shall, insofar as possible, satisfy the requirements of the majority of the county departments and agencies which use the same.

SECTION 12. Liability of county. - The county shall be liable for the payment of all purchases of supplies, materials equipment and contractual service made in accordance with the provisions of this Chapter, but shall not be liable for the payment of such purchases made contrary to its provisions.

SECTION 13. Interest, rebates and gifts prohibited - Felony - Neither the County Purchasing Agent, nor members of the County Purchasing Commission, nor other officials of the county, shall be financially interested, or have any personal beneficial interest, either directly or indirectly, in any contract or purchase order for any supplies, materials, equipment or contractual services used by or furnished to any department or agency of the county government.

Nor shall any such persons accept or receive, directly or indirectly, from any person, firm or corporation to which any contract or purchase order may be awarded, by rebate, gift or otherwise, any money or anything of value whatsoever, or any promise, obligation or contract for future reward or compensation. Any violation of this Section shall be deemed a felony and shall be punishable by fine or imprisonment or both.

SECTION 14. Chapter 55 of the Private Acts of 1937 and Section 10 of Chapter 133 of the Private Acts of 1959 are repealed. Such other Sections of Private Acts which are in conflict with the provisions of this Act

are also repealed.

SECTION 15. Approval of County Court. - This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Carroll County on or before September 1, 1975. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

SECTION 16. Effective Date. - For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming law, the public welfare requiring it. For other purposes this Act shall be fully implemented on or before June 30, 1976.

Adopted: March 24, 1975.

Surety Bonds

Private Acts of 1927 Chapter 258

SECTION 1. That it shall be unlawful for any County Office Holder to sign any bond or bonds, as surety during the time he shall be in office as Office Holder in all counties in this State having a population of not less than 24,361 nor more than 24,861, according to the Federal Census of 1920 or any subsequent Federal Census.

SECTION 2. That any County Office Holder violating the provisions of this Act, shall be, upon conviction, fined not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) for each offense.

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

Passed: March 31, 1927.

Administration - Historical Notes

County Attorney

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

1. Private Acts of 1947, Chapter 152, created the office of County Attorney in Carroll County, to be elected by qualified voters to a 2-year term. The County Attorney would provide legal advice to the County Judge, the Quarterly County Court and all county officials relative to their offices and other official matters. The act prohibited any county official from employing outside legal counsel in official matters without advance approval of the County Court, and failure to secure approval in advance obligated the official to pay the outside counsel out of his own personal funds. The annual salary of the County Attorney was fixed at \$1,500.
2. Private Acts of 1949, Chapter 100, repealed Private Acts of 1947, Chapter 152.

County Clerk

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

1. Private Acts of 1923, Chapter 196, set the salaries for the County Trustee, County Court Clerk, Register of Deeds, Circuit Court Clerk, Clerk and Master, and the Judge or Chairman of the County Court in Carroll County. Each official was required to keep an account of all fees collected in their respective offices and turn over to the County Trustee twice each year all fees, commissions, and charges received in excess of the prescribed salary. Each of the offices would be audited every two years. The salary of the County Court Clerk was \$2,250 per year.
2. Private Acts of 1927, Chapter 745, authorized the County Court Clerk of Carroll County to appoint a Deputy County Court Clerk, who was to have the same duties as the Clerk of the County Court. The Deputy Court Clerk would receive a salary of \$1,000 per year (\$500 paid from county funds and \$500 paid by the County Court Clerk).
3. Private Acts of 1929, Chapter 351, amended Private Acts of 1927, Chapter 745, to increase the salary of the Deputy County Court Clerk to \$1,200 per year, all of which was to be paid from county funds.
4. Private Acts of 1937, Chapter 227, repealed Private Acts of 1927, Chapter 745 and Private Acts of

1929, Chapter 351.

5. Private Acts of 1937, Chapter 292, fixed the annual salary of the County Court Clerk in Carroll County at \$1,200 to be paid in monthly installments on warrants drawn by the County Judge from the general funds of the county. This salary was in addition to all the fees received by the office. Any amounts received by the Clerk in excess of the maximum compensation allowed under general law was to be paid back to the county.
6. Private Acts of 1947, Chapter 547, repealed Private Acts of 1937, Chapter 292.

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Carroll County and are included herein for historical purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1822, Chapter 94, validated all official acts of the first Justices of the Peace and officers of Carroll County, making them binding obligations of the county.
2. Private Acts of 1822, Chapter 156, validated the official acts performed by John Gwin, Edward Gwin, James A. M'Lary and John Brown, four Justices of the Peace whose commissions had been issued with errors in their names.
3. Private Acts of 1824, Chapter 102, provided that the County Court for Carroll County would be held on the first Mondays in March, June, September and December.
4. Private Acts of 1825, Chapter 318, changed the time for holding County Court for Carroll County to the second Mondays in March, June, September and December.
5. Public Acts of 1829-30, Chapter 20, authorized the Carroll County Court to elect three justices to serve on a quorum court. This act provided that the justices would serve for one year with a compensation of a \$1.50 per diem.
6. Acts of 1901, Chapter 304, authorized the election of additional Justices of the Peace in the 1st, 2nd, 3rd, 4th, 9th, 19th and 22nd Civil Districts of Carroll County.
7. Acts of 1903, Chapter 489, repealed Acts of 1901, Chapter 304, abolishing the offices of the Justices of the Peace in the 1st, 2nd, 3rd, 4th, 9th, 19th and 22nd Civil Districts of Carroll County.
8. Private Acts of 1917, Chapter 669, provided that all Justices of the Peace for Carroll County would receive \$3 per day for attending Quarterly County Court, not to exceed eight days per year. The Justices of the Peace were given a mileage allowance of 5¢ per mile if they traveled more than 10 miles to reach a meeting of the Quarterly County Court, for one day only in any term.
9. Private Acts of 1927, Chapter 786, authorized the Quarterly County Court of Carroll County to designate depositories for county revenue and to require bond and interest, to authorize the County Judge or Chairman to sell interest-bearing warrants to purchase materials for the county and warrants to pay the interest on those warrants, and to elect a bridge and levee supervisor, define his duties, and set his term of office and salary. The act authorized the County Judge or Chairman to pay the normal expenses of the courthouse retroactively to September 6, 1926.
10. Private Acts of 1933, Chapter 55, amended Private Acts of 1927, Chapter 786, to repeal the provision which authorized the election of a bridge and levee supervisor.
11. Private Acts of 1961, Chapter 233, provided for payment of \$5 in expense money to the members of the Carroll County Court for attending quarterly sessions, not to exceed four sessions for any one year or \$20 in any calendar year. This sum was to be paid in addition to all other payments provided by law to the members.

County Mayor

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

1. Acts of 1855-56, Chapter 253, created the office of County Judge in every county in the state, to be elected by the people to four-year terms. The County Judge was to be learned in the law and sworn and commissioned as were other judges. Quorum Courts were abolished and all the duties of those courts were assigned to the County Judges who would preside over the sessions of the various county Quarterly Courts. The jurisdiction of the County Courts was specifically outlined in the act. The County Judge would be the accounting officer and general agent of the county and would be responsible for discharging the duties enumerated in the act.
2. Public Acts of 1857-58, Chapter 5, repealed Acts of 1855-56, Chapter 253, and restored the Quorum Courts to their former status.

3. Public Acts of 1871, Chapter 133, created the office of County Judge for Carroll and DeKalb Counties. A person learned in the law would be elected by the voters in each county to a term of eight years. The Quorum Courts were abolished and their jurisdiction was transferred to the County Judge. The County Judge would have the same jurisdiction as the Chairman of the County Court, over which he would preside. The County Judge would be the accounting officer and general agent of the county. The compensation was set at \$5 per day during the sitting of the monthly and Quarterly Courts. The Quarterly Court was authorized to pay additional compensation to the Judge out of the county treasury.
4. Acts of 1872 (Ex. Sess.), Chapter 1, authorized the County Courts of Carroll and DeKalb Counties to elect a qualified person learned in the law to serve as the County Judge until the next regular election. The County Judge was given the same authority to maintain order that the Circuit Judge possessed.
5. Acts of 1907, Chapter 145, amended Public Acts of 1871, Chapter 133, to provide the County Judge of Carroll County with the same duties, power, authority and jurisdiction as that of the Justices of the Peace. The act also gave the County Judge the authority to exercise the same power and authority then conferred upon the Chancellors and Circuit Judges. This act amended Acts of 1872 (Ex. Sess.), Chapter 1, to provide for selection of a special judge when a County Judge was incompetent or absent.
6. Private Acts of 1921, Chapter 228, allowed the County Judge additional compensation of \$400 per year for his services as the accounting officer, financial agent and general agent of Carroll County.
7. Private Acts of 1923, Chapter 196, set the salaries for the County Trustee, County Court Clerk, Register of Deeds, Circuit Court Clerk, Clerk and Master, and the Judge or Chairman of the County Court in Carroll County. Each official was required to keep an account of all fees collected in their respective offices and turn over to the County Trustee twice each year all fees, commissions, and charges received in excess of the prescribed salary. Each of the offices would be audited every two years. The salary of the County Judge or Chairman was \$1,650 per year.
8. Private Acts of 1927, Chapter 478, authorized and required the County Judge to collect delinquent poll taxes, automobile license, road and merchant's privilege taxes and other privilege taxes in Carroll County. The act specifically did not empower the Judge to collect delinquent real estate or drainage taxes. This act was repealed by Private Acts of 1933, Chapter 56.
9. Private Acts of 1927, Chapter 560, provided that the County Judge in Carroll County would receive, in addition to his salary, the annual sum of \$1,000 as compensation for his services as accounting officer, financial agent and general agent of Carroll County. This act was repealed by Private Acts of 1933, Chapter 204.
10. Private Acts of 1929, Chapter 744, authorized the County Judge or Chairman of Carroll County to employ a clerk at a monthly salary of \$100. This act was repealed by Private Acts of 1937, Chapter 24.
11. Private Acts of 1931, Chapter 648, amended Private Acts of 1929, Chapter 744, to provide that in addition to duties as clerk for the County Judge or Chairman, the clerk would serve as secretary of the County Highway Commission for Carroll County. The clerk would receive no additional compensation for the performance of these additional duties.
12. Private Acts of 1933, Chapter 56, repealed Private Acts of 1927, Chapter 478.
13. Private Acts of 1933, Chapter 204, repealed Private Acts of 1927, Chapter 560.
14. Private Acts of 1937, Chapter 24, repealed Private Acts of 1929, Chapter 744.
15. Private Acts of 1947, Chapter 207, repealed Public Acts of 1871, Chapter 133, Acts of 1872 (Ex. Sess.), Chapter 1, and Acts of 1907, Chapter 145, and created the County Court and the Court of General Sessions for Carroll County, which would be held at the courthouse in Huntingdon. All jurisdiction and power in criminal and civil cases once vested in the Justices of the Peace, except the power to perform rites of matrimony, were transferred to the Judge of the County Court and Court of General Sessions. The Judge was to be licensed to practice law in the state and would be paid \$5,000 annually. The County Judge was empowered to appoint a deputy clerk, who would serve as secretary to the Judge and to the County Highway Commission and receive an annual salary of \$1,500. The Clerk of the Circuit Court would perform the duties of Clerk of the Court of General Sessions in addition to the duties of the Clerk of Circuit Court and would receive an annual salary of \$600. This act was repealed by Private Acts of 1949, Chapter 44.
16. Private Acts of 1971, Chapter 67, would have amended Public Acts of 1871, Chapter 133, to decrease the term of office for the County Judge from 8 years to 4 years. This act failed to receive the required approval of the voters in a referendum and never became effective law.

County Register

The following acts once affected the office of county register in Carroll County, but are no longer operative.

1. Private Acts of 1831, Chapter 40, authorized the Register of Carroll County to keep his office at home, provided his residence was not located more than ½ mile from the courthouse at Huntingdon in Carroll County.
2. Private Acts of 1923, Chapter 196, set the salaries for the County Trustee, County Court Clerk, Register of Deeds, Circuit Court Clerk, Clerk and Master, and the Judge or Chairman of the County Court in Carroll County. Each official was required to keep an account of all fees collected in their respective offices and turn over to the County Trustee twice each year all fees, commissions, and charges received in excess of the prescribed salary. Each of the offices would be audited every two years. The salary of the Register was \$1,800 per year.

County Trustee

The following acts once affected the office of county trustee in Carroll County, but are no longer operative.

1. Private Acts of 1923, Chapter 196, set the salaries for the County Trustee, County Court Clerk, Register of Deeds, Circuit Court Clerk, Clerk and Master, and the Judge or Chairman of the County Court in Carroll County. Each official was required to keep an account of all fees collected in their respective offices and turn over to the County Trustee twice each year all fees, commissions, and charges received in excess of the prescribed salary. The Trustee was required to report to the County Judge or Chairman twice each year. Each of the offices would be audited every two years. The salary of the Trustee was \$3,000 per year.
2. Private Acts of 1951, Chapter 693, authorized the Trustee in Carroll County to establish a Special Bond Retirement Fund to pay the interest and principal on any funding bonds issued by the Quarterly County Court in 1951. The County Trustee was to set aside \$500 each month out of the funds received from the state for road purposes.

Purchasing

The following acts once affected the purchasing procedures of Carroll County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1937, Chapter 55, appointed the County Judge or County Chairman, the County Court Clerk and the County Trustee of Carroll County to act as a "Purchasing Agency" for Carroll County. The Purchasing Agency was authorized to contract for and purchase services, materials, supplies and equipment, where authority had not been delegated to other officers, for the purpose of operating the county government, and to pay for those purchases from county funds, subject to restrictions set out in the act. No member could act without the consent of the other members of the Purchasing Agency. The act set out the duties and responsibilities of the members and penalties for violations of the act. This act was repealed by Private Acts of 1975, Chapter 23 (reproduced hereinabove).
2. Private Acts of 1959, Chapter 133, Section 10, authorized the County Highway Board to make necessary purchases of materials or enter into contracts for the repair or other work on roads up to \$1,000 without taking bids, and authorized the Board to allow the Superintendent to make purchases of \$250 or less without consent of the Board. Purchases over \$1,000 required sealed bids. Section 10 was repealed by Private Acts of 1975, Chapter 23 (reproduced hereinabove).
3. Private Acts of 1977, Chapter 68, would have repealed Private Acts of 1975, Chapter 23 (reproduced hereinabove), to establish a new purchasing law for Carroll County. The act provided for the election of a County Purchasing Agent by the Quarterly County Court. The County Purchasing Agent would be paid at a rate set by the Quarterly Court. The act provided for the creation of a Purchasing Commission to be composed of the County Judge, the County Court Clerk, the Circuit Court Clerk, the County Trustee and the Purchasing Agent. This act failed to receive local approval and never became effective law.

General Reference

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

1. Private Acts of 1822, Chapter 210, authorized the Quarterly County Court of Carroll County to make an appropriation for the Commissioners who were selecting a site for the county seat.
2. Public Acts of 1831, Chapter 44, authorized the appointment of Boards of Internal Improvement in counties west of the Tennessee River, and established rules and regulations for their operation.
3. Public Acts of 1832, Chapter 14, amended Public Acts of 1831, Chapter 44, to authorize Carroll,

- Henry, Gibson, Weakley, Obion and Dyer Counties, and to require Perry County, to appoint a Board of Commissioners of Internal Improvements in their respective counties to operate under the same rules and regulations prescribed in the 1831 act.
4. Public Acts of 1835-36, Chapter 48, directed the county courts in each county to appoint a surveyor and an entry taker for its county, and directed the present surveyor for the 12th district to deliver all existing records to the entry taker in Carroll County.
 5. Acts of 1849-50, Chapter 210, authorized the County Courts of Carroll, Benton and Henry Counties to withdraw from the Bank of Tennessee at Trenton the unexpended funds of an appropriation to improve the navigation of the Big Sandy River. The funds were to be divided into three equal parts and paid over to the Trustees of the respective counties. The Trustees were to hold the funds until the respective County Courts authorized the funds to be spent on improving roads, bridges and causeways. Carroll and Benton Counties were authorized to invest their share of the funds in the stock of the Huntingdon and Tennessee River Turnpike Company.
 6. Private Acts of 1923, Chapter 196, set the salaries for the offices of County Trustee, County Court Clerks, Register of Deeds, Circuit Court Clerks, Clerks and Masters of Chancery Courts and for the Judges or Chairman of the County Courts in Carroll Counties. Each official was required to keep an account of every fee collected in their respective offices and turn over to the County Trustee twice a year all fees, commissions, and charges received in excess of the prescribed salary. The Trustee had the duty of making a complete report to the County Judge or Chairman twice each year. The act provided for an audit of the respective offices every two years.
 7. Private Acts of 1925, Chapter 534, provided that any firm, partnership or corporation doing the business of a telephone company in Weakley, Henry and Carroll Counties would have control, power and authority over their lines in those counties and could enforce their own rules and regulations concerning the collection of tolls, rents and fines, including disconnecting any subscriber or renter and imposing reconnection charges. Any subscriber connecting or attempting to reconnect a disconnected telephone line was subject to a fine between \$25 and \$50. Telephone companies and cooperatives are now governed by general law.
 8. Private Acts of 1927, Chapter 185, validated the action of the Quarterly Court in Carroll County ordering the County Judge to issue interest bearing county warrants.
 9. Private Acts of 1927, Chapter 661, validated all sales, leases, rental or other dispositions of municipally-owned water, electric or other utilities which had been made in Dyer, Gibson, Weakley, Henry and Carroll Counties.
 10. Private Acts of 1933, Chapter 171, removed the disabilities of minority and infancy of Irene Chambers Joyner of Carroll County.
 11. Private Acts of 1935, Chapter 124, removed the disabilities of minority and infancy of Bonnie Pauline Sumler Smith of Carroll County.
 12. Private Acts of 1935, Chapter 449, removed the disabilities of minority and infancy from Verlie Shackelford.
 13. Private Acts of 1935, Chapter 771, permitted Fred Tate, a resident of Huntingdon in Carroll County, to pursue the business of writing deeds and other contracts relating to realty and the making of abstracts of title. The act did not release him from paying the tax or license fee required by law.
 14. Private Acts of 1937, Chapter 78, removed the disabilities of minority and infancy from Harold Hickman of Carroll County.
 15. Private Acts of 1937, Chapter 421, removed the disabilities of minority and infancy from Elizabeth Tucker Dill of Carroll County.
 16. Private Acts of 1937, Chapter 828, authorized Carroll County to acquire the land which had been designated as the "Carroll County Lake Project #1" by purchase, gift or condemnation. The act further provided that any compensation or damages incurred as a result of the acquisition of this property was to be paid from the general county fund.
 17. Private Acts of 1997, Chapter 67 (erroneously designated as private chapter), amends Title 64, Chapter 1, Part 8, to make the jurisdiction of the Carroll County Watershed Authority contiguous with Carroll County, except as it may conflict with the power of the West Tennessee River Basin Authority. This act was adopted locally on August 11, 1997.

Chapter II - Animals and Fish

Animals and Fish - Historical Notes

Animals and Fish

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

1. Public Acts of 1893, Chapter 43, prohibited the use of fish traps or fish dams across streams in the counties of Carroll, Gibson, Obion, Weakley and Montgomery.
2. Public Acts of 1895, Chapter 109, made it unlawful in Carroll County for any person to take fish, except minnows for bait, with any kind of net, seine, trap or other device, except with a rod, hook and line from a specified portion of the waters in Beaver Creek. Violation of this act was a misdemeanor, with a fine between \$10 and \$50 upon conviction.
3. Private Acts of 1897, Chapter 250, prohibited the shipment of quail and partridge from Crockett, Carroll, Obion and Madison Counties. The act also made it unlawful to kill, catch or entrap any quail or partridges for the purpose of shipment out of the county, or to destroy the nest or eggs of quail in those counties. Violation of this act resulted in a fine between \$10 and \$50 upon conviction.
4. Private Acts of 1897, Chapter 283, made it lawful in Carroll, Lincoln, Macon and Meigs Counties to catch fish at all times of the year, except with explosives, poisons or devices that prevented the easy passage of fish up and down streams.
5. Acts of 1901, Chapter 233, made it unlawful in Carroll County to take, catch or kill fish, except minnows for bait, with any kind of net, seine, trap or other device, except with a rod, hook and line from a specific portion of the waters in Beaver Creek. Violation of this act resulted in a fine between \$10 and \$50 for each offense.
6. Private Acts of 1913, Chapter 139, made members of the Carroll County Court eligible for appointment to the position of County Livestock Inspector. This act was repealed by Private Acts of 1915, Chapter 287.
7. Private Acts of 1913, Chapter 146, prohibited owners of horses, mules, cattle, goats, sheep, swine and geese from allowing these animals to run at large in Carroll County. Any person damaged by a trespassing animal was entitled to a lien upon the animal for the satisfaction of any damages suffered. This act was repealed by Private Acts of 1915, Chapter 211.
8. Private Acts of 1917, Chapter 66, prohibited owners of horses, mules, cattle, goats, sheep, swine and geese from allowing these animals to run at large in Carroll County. Any person damaged by a trespassing animal was entitled to a lien upon the animal for the satisfaction of any damages suffered. Violators of this act were subject to fines between \$5 and \$25 upon conviction.
9. Private Acts of 1917, Chapter 672, set open season on partridge and quail in Carroll County from December 1 to January 31 of each year. This act also set a fine of \$25 to \$100 and imprisonment not less than 30 days nor more than 6 months as the penalty in Carroll County for violators of the general law which prohibited the use of explosives to catch fish.
10. Private Acts of 1929, Chapter 350, made it unlawful for any person, firm or corporation to take, catch or kill any fur bearing animal in Carroll County by means of snare, steel trap, deadfall or any other device, except by dogs and gun. Violation of this act was a misdemeanor, with a fine between \$50 and \$100 upon conviction.
11. Private Acts of 1933, Chapter 595, set open season for hunting quail in Carroll County from December 15 to February 28. This act was repealed by Private Acts of 1935, Chapter 2.

Chapter III - Bond Issues

Bond Issues - Historical Notes

A listing of the acts which authorized various bond issues for Carroll County is included below for reference purposes, although these acts are no longer current.

Buildings - Memorials

1. Private Acts of 1931, Chapter 230, authorized Carroll County to issue bonds in an amount not to exceed \$150,000 to build a courthouse in Huntingdon. The bonds were payable 30 years from the date of issuance, bearing interest at a rate not to exceed 6% per year. The Quarterly County Court was authorized to levy a property tax to pay the interest on the bonds and to create a sinking fund from which to pay the bonds at maturity.

Debts

1. Private Acts of 1921, Chapter 120, authorized Carroll County to issue bonds in an amount not to exceed \$200,000 to pay off the floating indebtedness of the county. The bonds were payable within 20 years from the date of issue, bearing interest at a rate not to exceed 6% annually. The act permitted the County Court to levy and collect a special property tax to pay off the bonds.
2. Private Acts of 1921, Chapter 678, authorized the Carroll County Quarterly Court to issue and sell county warrants in an amount not to exceed \$100,000 to pay the outstanding indebtedness of the county. The warrants matured within 5 years from their date of issue, bearing interest at a rate of 6% annually. The act empowered the Quarterly Court to levy a property tax to pay the principal and interest on said warrants as they became due.
3. Private Acts of 1937, Chapter 128, validated a funding bond issue in Carroll County, in the amount of \$50,000, bearing interest at 5½% per year and maturing by October 1, 1961, to pay outstanding warrants and interest coupons. The act authorized a property tax sufficient to pay the principal and interest on the bonds.
4. Private Acts of 1951, Chapter 693, directed the County Trustee to place \$500 per month in a special bond retirement fund to pay interest and principal on any funding bonds issued by the Quarterly County Court during the calendar year 1951.

Refunding

1. Private Acts of 1937, Chapter 126, validated the issuance of \$142,000 Highway Refunding Bonds in Carroll County, bearing interest at 5% per annum and maturing by February 1, 1949. The act provided for a property tax to pay the principal and interest on the bonds.
2. Private Acts of 1937, Chapter 127, validated the issuance of General Refunding Bonds in Carroll County, in the amount of \$829,000. The bonds were to mature by October 1, 1961, and had an annual interest rate of 5¼%. The act provided for a property tax sufficient to pay the principal and interest on the bonds.
3. Private Acts of 1941, Chapter 462, validated the issuance of General Refunding Bonds in the amount of \$979,000, bearing interest at 4% and maturing serially through April 1, 1964. This act also confirmed the appointment of and actions taken by the Debt Readjustment Committee of Carroll County.
4. Private Acts of 1941, Chapter 524, validated the issuance of refunding bonds in the amount of \$25,000, with an annual interest rate of 4½%, maturing serially through April 1, 1946, to be used for refunding outstanding indebtedness of the County. The act validated the actions taken by the Debt Readjustment Committee.

Roads

1. Private Acts of 1913, Chapter 340, authorized the County Court of Carroll County to issue bonds up to \$250,000, with the interest rate to be determined by the County Court and maturing within 35 years. The proceeds from the bonds were to be used for improving and constructing public roads and bridges. A tax of up to 30¢ per \$100 property valuation was authorized, the proceeds of which were to be used to pay the interest on the bonds, the salaries of necessary officers and other incidental expenses, and to create a sinking fund to pay the bonds when they matured.
2. Private Acts of 1919, Chapter 678, authorized the Quarterly County Court of Carroll County to issue bonds in the amount of \$200,000, with interest at a rate of 6% per year, maturing within 20 years. The proceeds from the sale of the bonds were to be used to pay Carroll County's portion of Federal Aid Roads 11 and 3.
3. Private Acts of 1927, Chapter 637, authorized the Quarterly County Court of Carroll County to issue bonds in the amount of \$1,000,000, bearing interest not exceeding 5%, for the purpose of building public roads and highways in the county, conditioned upon voter approval. The County Court was authorized to levy a tax to pay the principal and interest on the bonds. If the voters

did not approve the bond issue, the question could be resubmitted to the voters after 90 days.

Schools - Special School Districts - Hollow Rock-Bruceton

1. Private Acts of 1937, Chapter 600, authorized Hollow Rock-Bruceton Special School District in Carroll County to issue refunding bonds in the amount of \$40,000, at a maximum interest rate of 5%, payable within 20 years from the date of issuance. The act continued the tax levy of 40¢ per \$100 of taxable property in the district.
2. Private Acts of 1937, Chapter 601, authorized Hollow Rock-Bruceton Special School District to issue bonds with a maximum interest rate of 5%, maturing within 10 years, to finance the construction of a gymnasium at Central High School, conditioned upon voter approval. The amount of the bonds is uncertain, since the caption of the act specifies \$7,500 but the body of the act does not contain an amount. A tax of 20¢ per \$100 property valuation was levied to pay principal and interest on the bonds.
3. Private Acts of 1939, Chapter 594, authorized Hollow Rock-Bruceton Special School District to issue refunding bonds in the amount of \$46,000 bearing interest at 5%. A special tax levy of 60¢ on every \$100 taxable property was authorized to pay the principal and interest on the bonds when they became due.
4. Private Acts of 1941, Chapter 56, authorized Hollow Rock-Bruceton Special School District to issue refunding bonds in the amount of \$47,675 bearing interest at the rate of 5%. The act authorized a tax levy in the amount of 60¢ on each \$100 of taxable property for the purpose of paying the principal and interest on the refunding bonds.
5. Private Acts of 1943, Chapter 424, authorized Hollow Rock-Bruceton Special School District to issue refunding bonds in the amount of \$47,675 with an annual interest of 5%. The act authorized an annual tax levy of 60¢ on each \$100 of taxable property in the district to pay the principal and interest on the bonds. This act was repealed by Private Acts of 1951, Chapter 231.
6. Private Acts of 1951, Chapter 572, authorized Hollow Rock-Bruceton Special School District to issue bonds in the amount of \$100,000, bearing interest at 3¼% and maturing 25 years from the date of issue. The act required voter approval. A tax of 75¢ on every \$100 of taxable property within the district was levied to create a fund to retire the bonds. This act purportedly was repealed by Private Acts of 1955, Chapter 389, but the act required approval of the Board of Education of the school district, and the Secretary of State was never advised of the action taken by the board as required by the act.
7. Private Acts of 1955, Chapter 196, authorized Hollow Rock-Bruceton Special School District to issue bonds in the amount of \$110,000, bearing interest at 4%, for the construction, erection, equipping and/or improvement of schools in the district. The act authorized an annual tax levy of 80¢ per \$100 taxable property in the district. The act failed to receive voter approval and never became effective.
8. Private Acts of 1957, Chapter 285, authorized Hollow Rock-Bruceton Special School District to issue bonds in the amount of \$200,000, at a maximum interest rate of 4%, for the purpose of constructing, equipping and improving school buildings in the district, including the acquisition of any necessary lands, subject to voter approval. A tax levy of \$1.10 on each \$100 of taxable property in the school district was authorized. The act failed to gain local approval and never became effective.
9. Private Acts of 1959, Chapter 284, authorized Hollow Rock-Bruceton Special School District to issue bonds in an amount not to exceed \$250,000, at a maximum interest rate of 5% per year, for the purpose of constructing, improving and equipping school buildings and additions for the school district. The bonds were to mature within 30 years. A tax levy of \$1.10 on each \$100 of taxable property in the district was authorized to pay the principal and interest on the bonds. The bond issuance was subject to voter approval.
10. Private Acts of 1967-68, Chapter 54, authorized Hollow Rock-Bruceton Special School District to issue bonds in the amount \$200,000 bearing interest at a maximum rate of 5% and maturing within 30 years, for the purpose of constructing, equipping and improving school buildings in the district, subject to voter approval. The act authorized a tax levy of 75¢ on every \$100 of taxable property in the district. The voters in the Hollow Rock-Bruceton Special School District rejected the bond issuance and the bonds were never issued.

Schools - Special School Districts - Huntingdon

- 1.
2. Private Acts of 1923, Chapter 117, authorized Huntingdon Special School District in Carroll

County to issue bonds in the amount of \$50,000, at a maximum interest rate of 6%, to be used for improving the school buildings in the district, subject to voter approval. The bonds were to mature within 25 years from their date of issue. A tax levy of 50¢ on every \$100 of taxable property in the district was authorized.

3. Private Acts of 1931, Chapter 290, authorized the Board of Directors of Huntingdon Special School District to issue bonds in the amount of \$25,000, at a maximum interest rate of 6%, for the purpose of paying the indebtedness of the district and for improvement and maintenance of the school buildings in the district. The bonds were to mature within 20 years. The act authorized a tax levy of 20¢ on every \$100 of taxable property in the school district.
4. Private Acts of 1935, Chapter 167, authorized Huntingdon Special School District to issue bonds in the amount of \$42,000, to be used for erecting, extending, completing or improving any school building in the district, subject to voter approval. The bonds were to have a maximum interest rate of 6% and mature within 30 years from the date of issuance. The act also authorized a tax levy of 35¢ on every \$100 of taxable property in the district. This act was amended by Private Acts of 1935, Chapter 292, to reduce the authorized amount of the bond issue to \$30,000. Private Acts of 1935, Chapter 683, amended Private Acts of 1935, Chapter 292, to allow all qualified voters within the district to vote in the referendum to authorize the bond issuance, regardless of whether they were registered to vote.
5. Private Acts of 1949, Chapter 914, authorized Huntingdon Special School District to issue bonds in an amount not to exceed \$100,000, at a maximum interest rate of 4%, for the purpose of improving school buildings in the district, subject to voter approval. The bonds were to mature within 30 years. A tax of 45¢ on every \$100 of taxable property in the district was authorized.
6. Private Acts of 1951, Chapter 697, amended Private Acts of 1919, Chapter 374, to require the Carroll County Trustee to place in a separate fund the taxes collected from Negro residents of the Huntingdon Special School District, to be used for the Negro schools in the district. This act was repealed by Private Acts of 1967-68, Chapter 328.
7. Private Acts of 1959, Chapter 134, authorized Huntingdon Special School District to issue bonds in an amount not to exceed \$225,000, at a maximum interest rate of 5%, maturing within 30 years, for the purpose of constructing, improving and equipping school buildings in the district. The bond issue was subject to voter approval. The act authorized a tax levy of 50¢ on every \$100 of taxable property in the district.
8. Private Acts of 1961, Chapter 24, authorized Huntingdon Special School District to issue bonds in an amount not to exceed \$150,000, at a maximum interest rate of 5%, for the purpose of constructing, improving and equipping school buildings and additions for the district. The bonds were to mature within 30 years from the date of issue. A tax levy in the amount of 45¢ on each \$100 of taxable property in the school district was authorized. The bond issuance was subject to voter approval.
9. Private Acts of 1967-68, Chapter 243, authorized Huntingdon Special School District to borrow money and issue notes in an amount not to exceed \$65,000, at a maximum interest rate of 6%, to purchase from the Carroll County Board of Education, the Hale School property located in Huntingdon.

Schools- Special School Districts - McKenzie High School

1. Private Acts of 1921, Chapter 185, authorized McKenzie High School District to issue bonds in the amount of \$50,000, bearing interest at 6%, maturing within 25 years, to build a high school at McKenzie and to make any needed improvements on the school grounds. The act authorized a tax levy of 10¢ on every \$100 of taxable property in the district. The bond issuance was subject to voter approval. This act was amended by Private Acts of 1921, Chapter 576, to increase the tax rate to 30¢.
2. Private Acts of 1923, Chapter 41, validated the proceedings of the Board of Education of McKenzie High School District regarding the \$50,000 bond issue authorized by Private Acts of 1921, Chapter 185.
3. Private Acts of 1931, Chapter 310, authorized McKenzie High School District to issue bonds in the amount of \$60,000 at a maximum interest rate of 6%, maturing within 20 years from issuance, subject to voter approval. The proceeds of the bonds would be used for repairing and building schools in the district. This act was repealed by Private Acts of 1935 (Ex. Sess.), Chapter 79.
4. Private Acts of 1935 (Ex. Sess.), Chapter 80, authorized McKenzie High School District to issue bonds in the amount of \$25,000, maturing within 30 years from the date of issuance, to build a school in McKenzie, subject to voter approval. The act authorized a tax levy of 15¢ on every \$100

of taxable property in the district.

5. Private Acts of 1947, Chapter 568, authorized McKenzie High School District to issue bonds in an amount not to exceed \$75,000, at a maximum annual interest rate of 6%, subject to voter approval. The bonds were to mature within 20 years. The act authorized a tax levy of 40¢ on every \$100 of taxable property in the district. This act was repealed by Private Acts of 1967-68, Chapter 262, which directed that any unpaid bonds be paid from the tax levy provided for operational purposes.
6. Private Acts of 1951, Chapter 165, authorized McKenzie High School District to issue bonds in an amount not to exceed \$150,000, bearing interest not exceeding 6% and maturing within 20 years, subject to voter approval. The proceeds were to be used to repair, remodel and build school buildings and to purchase equipment.
7. Private Acts of 1953, Chapter 194, authorized McKenzie High School District to issue bonds in the amount of \$150,000, to be used for constructing, equipping and repairing school buildings in the district. The bonds were to mature within 30 years from date of issue and were to have a maximum interest rate of 6%. The act levied a tax of 80¢ on every \$100 of taxable property in the district to be placed in a special fund for retiring the bonds when they became due. In years in which the amount in the special fund was \$14,000 or more, the tax was not to be imposed.
8. Private Acts of 1953, Chapter 195, authorized McKenzie High School District to issue up to \$75,000 coupon bonds bearing interest not exceeding 6% per annum and maturing within 30 years, for school buildings and grounds, including a gymnasium, in the district. A tax levy of 40¢ per \$100 property value was authorized to pay the principal and interest on the bonds. The act did not require local approval.

Schools - Special School Districts - South Carroll

1. Private Acts of 1959, Chapter 258, authorized South Carroll County Special School District to issue bonds in an amount not to exceed \$100,000, with a maximum interest rate of 5%, maturing within 20 years from the date of issuance. This act was not submitted to the voters of the district within the time allowed and never became effective law.
2. Private Acts of 1961, Chapter 112, authorized South Carroll County Special School District to issue bonds in an amount not to exceed \$60,000, at a maximum interest rate of 5%, maturing within 20 years, for the purpose of constructing an auditorium-gymnasium within the school district. The bond issuance was subject to voter approval. The act authorized a tax levy of 50¢ on each \$100 of real and personal property located in the district.
3. Private Acts of 1977, Chapter 146, authorized South Carroll County Special School District to issue bonds in an amount not to exceed \$350,000, with a maximum interest rate of 8%, maturing within 30 years from the date of issuance, subject to voter approval. A tax of not more than \$1 per \$100 property value was authorized. This act was repealed by Private Acts of 1978, Chapter 210 (reproduced hereinabove).

Schools - Special School Districts - Trezevant

1. Private Acts of 1929, Chapter 220, amended Private Acts of 1915, Chapter 667, to change the boundaries of Trezevant Special School District to include all of the 2nd civil district, and to authorize the school district to issue bonds in the amount of \$60,000 bearing interest not exceeding 6% per year, with half the bonds maturing in 20 years and the remainder in 30 years, to build and equip schools in the town of Trezevant. The bond issue was subject to voter approval. A tax was levied in the amount of 50¢ on every \$100 of taxable property in the school district to pay the principal and interest on the bonds.
2. Private Acts of 1941, Chapter 485, purported to amend Private Acts of 1915, Chapter 667, but made no specific changes to the 1915 act. The act authorized Trezevant Special School District to borrow money and issue tax anticipation notes bearing interest at a maximum rate of 6% per year and maturing within one year from the date of issue, to maintain and operate the school. Issuance of the notes was subject to voter approval. A 20¢ property tax was levied to pay the notes.
3. Private Acts of 1951, Chapter 695, authorized the board of directors of Trezevant Special School District to issue bonds in the amount of \$125,000 maturing within 30 years, to repair, remodel and improve present school buildings and to erect new school buildings. A tax was levied in the amount of 90¢ on every \$100 of taxable property in the school district with the proceeds to be placed in a special fund for payment of the bonds, provided that if the amount in the special fund exceeded \$8,000 in any year the tax would not be imposed for that year. Issuance of the bonds was subject to voter approval.

4. Private Acts of 1969, Chapter 60, authorized Trezevant Special School District to issue bonds up to \$200,000 bearing interest not exceeding 6% and maturing within 30 years, to build a gymnasium and school buildings, subject to local voter approval. The bonds apparently never received local approval and were not issued.
5. Private Acts of 1970, Chapter 253, authorized Trezevant Special School District to issue bonds up to \$110,000 bearing interest not exceeding 7½% and maturing within 30 years, for the purpose of constructing, improving and equipping a gymnasium, school buildings and additions for the school district, subject to voter approval. A tax was levied in the amount of \$1.25 on every \$100 of taxable property in the school district to pay the principal and interest on the bonds. The bonds failed to gain approval and were not issued.
6. Private Acts of 1971, Chapter 189, authorized Trezevant Special School District to issue bonds up to \$75,000 bearing interest not exceeding 7½% maturing within 20 years, to build a gymnasium, school buildings and additions, subject to voter approval. A property tax was levied in the amount of 65¢ per \$100 of property value, to pay the principal and interest on the bonds.
7. Private Acts of 1972, Chapter 259, authorized Trezevant Special School District, by resolution of its board of directors, to borrow money and issue notes up to \$20,000 for capital improvements, for a term not exceeding 5 years, at an interest rate not exceeding 6% per year.

Schools - Special School Districts - Yuma

1. Private Acts of 1937, Chapter 172, authorized the Yuma Special School District to construct a school building for a total cost not to exceed \$5,000, of which \$3,000 would come from the fire insurance payment from the previous building and the remaining \$2,000 from an interest bearing note to be issued. A tax of 25¢ was levied on every \$100 of taxable property in the district to repay the note.

Utilities

1. Private Acts of 1939, Chapter 162, validated all the proceedings taken by the Carroll County Quarterly Court in the issuance of \$300,000 Electric Plant Bonds. The proceeds from the sale of these bonds were to be used to defray the costs of acquiring an electric system in Carroll County. This act also validated a contract which had been made with the Tennessee Valley Authority to purchase electric current, and authorized Carroll County to proceed with negotiations for the purchase of property belonging to the Tennessee Power Company and the Nashville, Chattanooga and St. Louis Railway.

Chapter IV - Boundaries

Creation of County

Public Acts of 1821 Chapter 32

COMPILER'S NOTE: Only those sections of the act which apply to Carroll County are reproduced below.
[SECTIONS 1 AND 2 OMITTED].

SECTION 3. That all the territory included in the lines hereafter mentioned shall constitute a county by the name of Carroll county: Beginning on West boundary of Humphreys at the the (sic) south east corner of Henry county; running thence west with the south boundary of said county to the south west corner of Henry county; thence south parallel with the range lines to a point two and a half miles south of the line dividing the 9th and 12th districts; thence east parallel with the sectional line to the second range line in the 9th district; thence north to the north east corner or range 2, section 11, in said 9th district; thence east with the district line to the west boundary of Perry county; thence northwardly with the west boundary of Perry and Humphreys counties to the beginning.

[SECTIONS 4-9 OMITTED].

SECTION 10. That for the due administration of justice, the Courts of Pleas and Quarter Sessions in said counties shall be held at the following places & times: For the county of Henry, at the house of Henry Wall, on the first Monday in December, March, June and September; for the county of Carroll, on the second Monday in December, March, June and September, at the house of R.E.C. Doherty; for the county of Madison, at the house of Adam R. Alexander, on the third Monday in December, March, June and September; for the county of Henderson, at the house of Samuel Wilson, on the fourth Monday in December, March, June and September; at which places the said courts shall be holden until otherwise

provided for by law, under the same rules, regulations and restrictions, and shall exercise the same power and jurisdiction that is possessed by said courts in other counties of this state.

SECTION 11. That the sheriffs of the counties of Henry, Carroll, Madison and Henderson shall each hold an election at the places appointed for holding courts in said counties on the first Friday and Saturday in March next, for the purpose of electing field officers of the militia for said counties, under the same rules, regulations and restrictions as are pointed out by law in similar cases; and the militia of the county of Henry shall compose the _____ Regiment, and shall be attached to the _____ Brigade; and the militia of the county of Carroll shall compose the _____ Regiment and be attached as aforesaid; and the militia of the county of Madison shall compose the _____ Regiment, and be attached as aforesaid; and the militia of the county of Henderson shall compose the _____ Regiment, and be attached as aforesaid.

SECTION 12. That it shall be the duty of the commandants of said _____ and _____ Regiments, having first been commissioned and sworn according to law, to divide their regiments into such number of companies as they shall think best for the convenience of said companies and it shall be the duty of each of said commandants to issue writs of election for company officers according to law.

[SECTION 13 OMITTED].

November 7, 1821.

COMPILER'S NOTE: Section 10 of Private Acts of 1821, Chapter 201 (reproduced on the following page), corrects an error in the boundary description of Carroll County which appeared in Public Acts of 1821, Chapter 32, above.

County Seat

Private Acts of 1821 Chapter 201

COMPILER'S NOTE: Section 10 of the following act corrects an error in the boundary description of Carroll County which appeared in Public Acts of 1821, Chapter 32, immediately preceding this act.

SECTION 1. That Sterling Brewer, James Fentress and Abram Murry, Esquires, be and they are hereby appointed commissioners, who or a majority of them shall on or before the first Monday in May next, proceed to fix on a place, as near the center of the respective counties as an eligible site can be procured, at least within three miles of the center of each of said counties, at which site the commissioners shall procure by purchase or otherwise, at least fifty acres of land, for which they shall cause a deed or deeds to be made to themselves and their successors in office, by a general warranty, and the said commissioners shall report and return all their proceedings relative to and concerning the county of Henry to the county court thereof, and all their proceedings relative to and concerning the county of Carroll, to the county court thereof, and all their proceedings relative to and concerning the county of Henderson to the county court thereof, and all their proceedings relative to and concerning the county of Madison, to the county court thereof, and it shall be the duty of the clerk of each of the several counties to record the same.

SECTION 2. That it shall be the duty of the respective county courts aforesaid to appoint five commissioners, to whom the commissioners appointed by this act, shall convey the lands acquired for county purposes, on which it shall be the duty of the commissioners appointed by the county court to cause a town to be laid off in their respective counties with their necessary streets, at least ninety feet wide, reserving at least four acres for a public square, on which shall be built a court house and stocks, also reserving a public lot sufficient to contain a jail.

SECTION 3. That the commissioners of each of the respective counties shall sell the lots of the town of their county at public sale, on a credit of twelve months, giving due notice thereof, in one or more of the public newspapers printed in Nashville, and shall take bond with sufficient securities from the purchasers of said lots, payable to themselves and successors in office, and shall make titles in fee simple as commissioners to the respective purchasers of said lots.

SECTION 4. That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of the respective commissioners, for defraying the expenses incurred in the purchase of the tract of land in their county, on which the town is directed to be laid off, also for defraying the expenses of building thereon a court house, prison and stocks.

SECTION 5. That the said commissioners shall superintend the building of the court house, prison and stocks, in their respective counties and shall let all of the said public buildings to the lowest bidder, advertising the same sixty days in one or more of the newspapers printed in Nashville, setting forth their dimensions and the materials of which they are to be built, and shall take bond with sufficient securities from the person or persons to whom the court house, prison or stocks, is let, payable to themselves and

successors in office, in the sum of at least ten thousand dollars, conditioned for the faithful performance of his or their contract or contracts, and if the proceeds of the sale of said lots is not sufficient for the purposes above mentioned, it shall be the duty of the county court of the county or counties where such deficiencies may happen, to lay a tax, not exceeding the amount of the state tax levied in the said county, to be applied to the objects aforesaid and to be continued until all arrearages are paid off.

SECTION 6. That the commissioners appointed by the county courts, before they enter on the duties of their appointments shall give bonds and approved securities, in the sum of five thousand dollars each, payable to the chairman of the county court of their county, and his successors in office, for the use of the county, conditioned for the faithful performance of the trust reposed in them, and the said bond shall be filed in the clerk's office of the county, and shall not be so construed as to make any one of the commissioners securities for another.

SECTION 7. That a majority of the commissioners shall in all cases be competent to perform the duties by this act assigned them, and if any one of the commissioners appointed by the county court neglects or refuses to act, a majority of the justices of the county, where such vacancies may happen, shall appoint another in his place, and when the said commissioners shall have performed the duties above enjoined upon them, they shall lay before their respective county courts a full statement of all their proceedings, and the county court shall make them a reasonable compensation for their services.

SECTION 8. That the first mentioned three commissioners shall be entitled to and receive as compensation for their services --- dollars for each day they may be absent from home, and necessarily employed in performing the duties required of them by this act, to be paid by the counties aforesaid, in such proportion as the said commissioners may deem just and equitable.

SECTION 9. That when either of the towns above mentioned is laid off, the courts of the county shall be adjourned to, and held therein, any law to the contrary notwithstanding; and that this act shall not be so construed as to make either of the aforesaid counties liable for any part of the expenses which the other may incur or take from either of the counties any of the monies which may accrue to it from the sale of town lots or otherwise.

And whereas a manifest mistake appears in the second call or line establishing Carroll county, by an act of the present General Assembly, for remedy whereof,

SECTION 10. That the lines of said county shall run as follows, to wit: Beginning at the south east corner of Henry county, running thence west with the south boundary to the south west corner thereof, thence south two miles and a half to the fourth sectional line in the 12th district, thence west on said sectional line to a point four miles west of the first range line in said district, thence south parallel with said range line to a point two miles and a half south of the line separating the 9th and 12 [sic] districts, thence east as mentioned in the above recited act.

November 16, 1821.

Private Acts of 1822 Chapter 210

SECTION 1. That it shall and may be lawful for Molton Dixon to charge the county of Hickman at the rate of three dollars for each day necessarily engaged in running the lines and centering the same, and employed in making out maps for said county, under the directors of the commissioners appointed by an act of the last General Assembly.

SECTION 2. That the said Molton Dixon may prove his account before any justice of the peace in the county of Hickman, and file the same with the county trustee of said county, whose duty it shall be to discharge the same out of the first money coming into his hands, and the said account shall be a good voucher in his settlement with the county court of Hickman, any law to the contrary notwithstanding.

SECTION 3. That the county court of Hickman County make an appropriation, and direct the trustee to pay over to the umpires appointed by the legislature in 1821, to fix on a site for the seat of justice for said county, the sum of four dollars per day for each day they were necessarily employed in going to, and returning from, and fixing on a site in said county.

SECTION 4. That the county court of Henderson county, Madison county, Carroll county and Henry county make a similar appropriation to the commissioners appointed by the Legislature of 1821, to fix on sites for the seats of justice in the counties aforesaid.

Passed: August 23, 1822.

Change of Boundary Lines

Acts of 1849-50 Chapter 83

SECTION 1. That the line between the counties of Gibson and Dyer, be so changed as to include in the county of Gibson, the territory lying between the North Fork and Little North Fork of Forked Deer river, so that the line shall run with the said forks of said river to their junction.

SECTION 2. That the citizens living in the following bounds in Carroll county, are hereby permitted to attach themselves to Weakley county, in the manner hereinafter prescribed, to wit: Beginning at the north west corner of Carroll county, running with said county line east, to a distance of two miles, thence south to the Obion river, thence down said river as it meanders to the west boundary line of said county, thence with said line to the beginning.

SECTION 3. That the county court of Carroll county, is hereby empowered to designate a suitable place in said bounds, at which to open and hold election of the qualified voters residing in the limits of said territory, and also to appoint some suitable person, who after giving twenty days notice in writing in three places in said bounds of the time and place of holding said election, shall open and hold the same on the day, and at the place specified in said notices, opening the polls at the hour of 11 o'clock, A.M., and closing the same at the hour of 3 o'clock, P.M., and at which election all the citizens living in said territory who are qualified to vote for members of the General Assembly shall be entitled to vote, and those who are in favor of being attached to Weakley county, shall have on their ticket the word "*Weakley*," and those in favor of remaining in Carroll county shall have upon their ticket the word "*Carroll*," and the person so appointed to hold said election, shall return a certified copy of the polls of said election to the clerks of the county courts of Weakley and Carroll counties, and which poll lists shall be filed in each of said offices, and if the voters aforesaid, shall vote to be attached to the county of Weakley, then the territory shall be taken and deemed to be a part of the county of Weakley, and the citizens therein shall be entitled to all the privileges and rights of citizens of Weakley county. *Provided*, that if the cutting off of this territory, shall reduce Carroll county below its constitutional limits, this act shall be void.

SECTION 4. That the person so appointed to open and hold said election, shall appoint three judges and two clerks of the same, and he is hereby empowered, and it is made his duty to qualify said judges and clerks as in elections for members of the General Assembly.

[Undated]

Public Acts of 1893 Chapter 3

SECTION 1. That the line between the counties of Carroll and Henderson be changed to run as follows: Beginning in the center of Giffin's Creek with W. A. Holder's east boundary line; thence up, and following the meanderings of Giffin's Creek to C. F. McHany's west boundary line; with C. F. McHany's west boundary line back to the said creek; thence up center said creek to Sim Barkham's east boundary line to York's Creek; thence up center of York's Creek to the county line, containing about seven hundred and fifty (750) acres, and including the lands of C. A. Gates, E. E. Williamson, W. A. Holder, G. W. Lovell, M. C. Lanier, and M. E. Jones, L. R. Burroughs, Sim Barkham, Ranking and Williamson, W. N. Holmes in Carroll County.

SECTION 2. That this act take effect from and after its passage, the public welfare requiring it.

Passed: February 9, 1893.

Private Acts of 1949 Chapter 599

SECTION 1. That the county line between Carroll and Benton Counties is hereby changed so as to take from the 16th Civil District of Carroll County and place in the 12th Civil District of Benton County the following described land:

A strip of land forty (40) feet wide extending twenty (20) feet on each side of a line beginning in the center of the road from Mt. Carmen Church, in Benton County, to McMackin's spur, in Carroll County, at the point where the county line between Carroll and Benton Counties crosses said road and running west with the center of said road to a point in said road ten (10) feet west of Big Sandy River Canal.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 4, 1949.

Boundaries - Historical Notes

Boundaries

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

1. Public Acts of 1867-68, Chapter 20, changed the line between Benton and Carroll Counties to attach lands southwest of Big Sandy River to Carroll County (this portion was later repealed), and changed the line between Carroll and Henry Counties to place the lands and residences of Marion Wood and N. Swift in Carroll County.
2. Public Acts of 1868-69, Chapter 39, repealed the portion of Public Acts of 1867-68, Chapter 20, which had changed the line between Benton and Carroll Counties, and authorized the formation of Grant County out of portions of Carroll, Gibson, Henderson and Madison Counties.
3. Public Acts of 1869-70 (2nd Sess.), Chapter 3, provided for the establishment of Etheridge County out of portions of Henderson, Gibson, Carroll, Madison and Weakley Counties, subject to the outcome of an election those areas on whether the new county should be formed. This act was amended by Public Acts of 1869-70 (2nd Sess.), Chapter 117, to authorize the Commissioners appointed under that act to make changes in the boundary line of the new county adjacent to Henderson and Madison Counties, by either extending or contracting the boundary as they determined to be in the best interests of the people. This act was further amended by Public Acts of 1870-71, Chapter 93, to authorize boundary changes and to condition any boundary changes, and the formation of the county itself, upon the approval of 2/3 of the voters.
4. Public Acts of 1877, Chapter 14, established a new county to be known as Hanes County out of parts of Henderson, Benton, Carroll and Decatur Counties, conditioned upon the approval by the people in the area affected.
5. Public Acts of 1883, Chapter 55, changed the line between the counties of Benton and Carroll to place the house and lands of J. T. Dudley in Benton County.
6. Public Acts of 1883, Chapter 56, transferred all the lands belonging to W. T. Vaden and W. A. Thompson out of Henderson County and into Carroll County.
7. Acts of 1905, Chapter 20, changed the line between the counties of Benton and Carroll to detach from Benton County and attach to Carroll County the land upon which was situated the residence and outbuildings of S. C. Walker.
1. Private Acts of 1951, Chapter 605, changed the county line between Carroll and Benton Counties to take from the 14th Civil District of Carroll County and place in the 2nd Civil District of Benton County the lands belonging to the W. T. Miller heirs and Brinkley.

Chapter V - Court System

Juvenile Court Clerk

Private Acts of 2000 Chapter 118

SECTION 1. The duties and records of juvenile court clerk shall be transferred from the office of County Clerk to the Circuit and General Sessions Court Clerk of Carroll County as provided under Tennessee Code Annotated, § 37-1-210. Such transfer shall occur at the end of the 1999-2000 fiscal year.

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

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

Passed: May 18, 2000.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Carroll County, but are no longer operative.

1. Private Acts of 1919, Chapter 709, created a four-member Board of Jury Commissioners for Carroll County. The commissioners were to be appointed by the Circuit or Criminal Court Judge to a two-year term. Practicing attorneys and state or county officials were not eligible, but Justices of the Peace were eligible for appointment. The commissioners were to prepare a jury list of 40 names, with each commissioner supplying 10 names which would be placed on the list if the other commissioners agreed. This was to be done on the first Wednesday of each month preceding the month of the regular term of court. The jury list was to be kept secret. Persons who sought, directly or indirectly, to be placed on the jury list were declared guilty of contempt of court and were subject to a fine between \$50 and \$100 and up to 6 months imprisonment.
2. Private Acts of 1947, Chapter 70, authorized compensation of \$4 per day for jurors serving in Carroll County.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Carroll County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification.

1. Public Acts of 1822, Chapter 13, directed one of the judges of the Supreme Court of Errors and Appeals to hold an equity court with original chancery jurisdiction in each circuit where the Supreme Court was held, at least once each year, the places being Rogersville, Knoxville, Charlotte, Sparta, Columbia and Nashville. These chancery courts were to sit for two weeks if necessary, and in Nashville for six weeks if necessary.
2. Public Acts of 1824, Chapter 14, directed the judges of the Supreme Court to make arrangements among themselves to hold the chancery courts of Tennessee at least twice each year. Carroll County was served by the court sitting in Jackson on the second Mondays in April and October. Courts were also held at Greenville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Charlotte and Columbia.
3. Public Acts of 1825, Chapter 32, directed the judges of the Supreme Court, by arrangement among themselves, to hold a chancery court at the town of Paris for Perry, Henderson, Carroll, Henry, Weakley, Obion, Gibson and Dyer Counties, on the third Mondays in April and October. The judges were to appoint a Clerk and Master for the court as soon as convenient.
4. Public Acts of 1827, Chapter 60, set the dates for holding chancery court at Paris on the third Mondays in March and September.
5. Public Acts of 1827, Chapter 79, repealed all laws giving the Judges of the Supreme Court of Errors and Appeals jurisdiction to hear original chancery cases. The state was divided into two chancery divisions, the Eastern and the Western. Carroll County was in the Western Division and continued to be served by the court sitting in Paris. One Chancellor was to be appointed by the General Assembly for each division and would be paid a salary of \$1,500 per year.
6. Public Acts of 1827, Chapter 88, supplemented Public Acts of 1827, Chapter 79, declaring the chancellors to be chancellors of the State of Tennessee, and authorizing the chancellors to interchange with each other.
7. Public Acts of 1835-36, Chapter 4, divided Tennessee into three chancery divisions which were further divided into districts. Three Chancellors appointed by the General Assembly were to hold court in their divisions at least twice each year. Carroll and Benton Counties comprised the Third District of the Western Division, the court for which would be held in Huntingdon on the first Mondays in May and November.
8. Public Acts of 1835-36, Chapter 20, changed the time chancery court was held in Carroll County to the second Mondays in January and July of each year.
9. Acts of 1837-38, Chapter 14, declared that Carroll, Henry, Weakley, Obion, Dyer, Gibson, Benton, Perry, Henderson and Madison Counties would compose one chancery district in the Western Division, with court to be held at Huntingdon on the first Mondays in February and August. The Chancery Courts at Paris, Dresden, Trenton, Jackson, Lexington, Bolivar and Clarksville were abolished. This act was amended during the same session by Acts of 1837-38, Chapter 110, which removed Henry, Weakley and Obion Counties from this district.
10. Acts of 1853-54, Chapter 54, established the Fifth and Sixth Chancery Divisions of the State. Carroll, Benton, Humphreys, Dickson, Hickman, Perry, Decatur, Henderson, McNairy, Hardin, Wayne and Lawrence Counties comprised Sixth Chancery Division.

11. Acts of 1855-56, Chapter 112, set the term for the chancery court to be held at Huntingdon in Carroll County on the first Mondays in February and August.
12. Public Acts of 1857-58, Chapter 88, reorganized the entire lower judicial system in Tennessee. The state was divided into the Eastern, Middle, Western, Fourth, Fifth and Sixth Chancery Divisions. Carroll County was assigned to the Sixth Division along with Henderson, McNairy, Hardin, Wayne, Lawrence, Hickman, Dickson, Humphreys, Benton, Decatur and Perry Counties. Chancery court for Carroll County would begin on the first Mondays in February and August.
13. Public Acts of 1865-66, Chapter 20, established a Ninth Chancery District in Tennessee comprised of Obion, Dyer, Gibson, Weakley, Henry, Carroll, and Benton Counties. The Chancellor would hold court in Carroll County on the first Mondays in February and August.
14. Public Acts of 1866-67, Chapter 25, changed the term for holding chancery court for the Ninth District, but the court continued to be held in Carroll County on the first Mondays in February and August.
15. Public Acts of 1867-68, Chapter 45, assigned Carroll County to the Fifth Chancery Division.
16. Public Acts of 1869-70, Chapter 23, detached Carroll County from the Fifth Chancery Division and assigned it to the Ninth Chancery Division.
17. Public Acts of 1869-70 (2nd Sess.), Chapter 32, divided Tennessee into twelve Chancery Districts. The Eleventh District was composed of Carroll, Dyer, Obion, Lake, Weakley, Gibson, Etheridge, and Henry Counties.
18. Public Acts of 1869-70 (2nd Sess.), Chapter 47, scheduled the beginning dates for terms of the chancery court in every county of the state. Chancery court would begin in Carroll County on the first Mondays in February and August.
19. Public Acts of 1870-71, Chapter 88, changed the time for holding chancery court in the Eleventh Division. In Carroll County the chancery court would be held at Huntingdon on the fourth Mondays in February and August.
20. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the lower judicial structure of Tennessee. The act created eleven chancery divisions, placing the counties of Henry Hardeman, McNairy, Chester, Madison, Crockett, Henderson and Carroll in the Ninth Division. Chancery court would be held in Carroll County on the fourth Mondays in January and December.
21. Public Acts of 1887, Chapter 7, changed the time for holding chancery court in Carroll County to the first Mondays in February and August.
22. Public Acts of 1887, Chapter 111, amended Acts of 1885 (Ex. Sess.), Chapter 20, to change the terms for holding the chancery courts of the Ninth Chancery Division. The terms of court for Carroll County would continue to begin on the first Mondays in February and August.
23. Public Acts of 1899, Chapter 427, divided Tennessee into ten Chancery Divisions. Carroll, Henry, Decatur, Hardin, Chester, Benton, McNairy, Crockett, Henderson, Madison and Perry Counties composed the Eighth Chancery Division. Chancery court in Carroll County would begin on the second Mondays in March and September.
24. Acts of 1903, Chapter 36, changed the times for holding chancery court in the Eighth Chancery Division. The court terms in Carroll County would begin on the first Mondays in February and August.
25. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, reorganized the lower court system in Tennessee. The counties of Carroll, Henry, McNairy, Crockett, Hardeman, Henderson, Decatur, Hardin, Benton and Chester were assigned to the Eighth Chancery Division. Court terms would begin in Carroll County on the first Mondays in February and August.

Chancery Court - Clerk and Master

The reference list below contains acts which once applied to the clerk and master in Carroll County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1837-38, Chapter 14, directed the newly-appointed Chancellor for the Western Division to appoint Clerks and Masters for the courts at Huntingdon, Somerville and Charlotte. The Clerks and Masters were directed to keep a deputy at the county seat in each county in his district.
2. Acts of 1837-38, Chapter 117, was a supplemental act to Chapter 14 of the same session, and provided that the Clerks and Masters at Somerville, Huntingdon, Charlotte and Brownsville would be allowed to serve out the remainder of their terms.
3. Private Acts of 1911, Chapter 203, set the salary of the Clerk and Master of the Chancery Court in Carroll County at \$1,000 per year. The Clerk and Master was required to file annually a sworn

itemized statement with the Judge and/or Chairman of the County Court showing all fees received in the office. If the amount was less than the salary, the county would pay the difference. If the amount was more than the salary, the Clerk and Master could retain the excess.

4. Private Acts of 1921, Chapter 175, raised the salary of the Carroll County Clerk and Master to \$1,200 per year.
5. Private Acts of 1923, Chapter 196, set the salaries for the County Trustee, County Court Clerk, Register of Deeds, Circuit Court Clerk, Clerk and Master, and the Judge or Chairman of the County Court in Carroll County. Each official was required to keep an account of all fees collected in their respective offices and turn over to the County Trustee twice each year all fees, commissions, and charges received in excess of the prescribed salary. Each of the offices would be audited every two years. The salary of the Clerk and Master was \$1,200 per year.
6. Private Acts of 1925, Chapter 523, amended Private Acts of 1921, Chapter 175, to increase the annual salary for the Clerk and Master of the Chancery Court to \$1,800 per year.
7. Private Acts of 1929, Chapter 349, amended Private Acts of 1921, Chapter 175, and Private Acts of 1925, Chapter 523, to allow the Clerk and Master in Carroll County to retain all fees collected by that office in addition to the annual salary.
8. Private Acts of 1937, Chapter 228, repealed Private Acts of 1911, Chapter 203, Private Acts of 1921, Chapter 175, Private Acts of 1925, Chapter 523, and Private Acts of 1929, Chapter 349.
9. Private Acts of 1937, Chapter 290, set the salary of the Clerk and Master of Carroll County at \$1,800 annually in addition to all of the fees earned by the office. This act was repealed by Private Acts of 1941, Chapter 431.
10. Private Acts of 1947, Chapter 271, set the salary of the deputy Clerk and Master in Carroll County at \$1,800 per year, payable monthly out of the county treasury. This act has been superseded by general law found in Title 8, Chapter 20, Tennessee Code Annotated.

Circuit Court

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

1. Public Acts of 1821, Chapter 32, set the time for holding the Courts of Pleas and Quarter Sessions in Carroll County on the second Mondays in December, March, June and September at the house of Robert E. C. Doherty.
2. Public Acts of 1821, Chapter 42, established the Eighth Judicial Circuit which was comprised of Henry, Carroll, Henderson, Madison, Shelby, Wayne, Hardin and Perry Counties. One circuit judge was to be elected by the General Assembly. Carroll, Henry and Humphreys Counties would comprise the Thirteenth Solicitorial District, and a solicitor would be elected to perform the duties of the district with the same powers as other solicitors general of the state. Circuit court for Carroll County would be held on the first Mondays of April and October at the house of Robert E. C. Doherty.
3. Private Acts of 1822, Chapter 157, changed the time for holding circuit court in Carroll County to the fourth Mondays in March and September of each year.
4. Public Acts of 1823, Chapter 11, created the Ninth Judicial Circuit, and assigned the counties of Perry, Henderson, Carroll, Henry, and all the counties west of Carroll and Henry, as they were formed, to this circuit. The act provided for the General Assembly to elect a judge for the new circuit. Appeals from the circuit court were to be heard in the Courts of Errors and Appeals at Charlotte.
5. Public Acts of 1823, Chapter 41, fixed the time for holding circuit court in the Eighth and Ninth Judicial Circuits. The time for holding circuit court in Carroll County would be the third Mondays in April and October.
6. Private Acts of 1825, Chapter 318, changed the dates for holding circuit courts in the Eighth and Ninth Judicial Circuits. The time for holding circuit court in Carroll County would be the third Mondays in May and November.
7. Public Acts of 1826, Chapter 43, set the dates for holding circuit court in Carroll County on the third Mondays of April and October.
8. Public Acts of 1833, Chapter 11, changed the dates for holding circuit court for Carroll County to the first Mondays in January and July each year.
9. Public Acts of 1835-36, Chapter 5, reorganized the lower court system of Tennessee into eleven

- judicial circuits and directed that the circuit courts hold three terms per year. The Ninth Circuit consisted of Carroll, Henry, Weakley, Obion, Dyer, Gibson and Benton Counties. Circuit court for Carroll County would begin on the second Mondays of March, July and November.
10. Acts of 1837-38, Chapter 3, established fourteen judicial circuits in the State. The Fourteenth Judicial Circuit consisted of Carroll, Lawrence, Wayne, Hardin, Perry and Benton Counties. The circuit court for Carroll County would be held on the first Mondays of April, August and December.
 11. Acts of 1837-38, Chapter 116, rescheduled circuit court terms for the judicial circuits of the state. Carroll County was a part of the Fourteenth Judicial Circuit and court terms were to be held on the second Mondays in January, May and September.
 12. Acts of 1837-38, Chapter 231, changed the time for holding circuit court in Carroll County to the second Mondays in January, May, and September of each year.
 13. Acts of 1839-40, Chapter 140, changed the time for holding circuit court in Carroll County to the first Mondays in January, May and September.
 14. Acts of 1845-46, Chapter 21, added Carroll and Benton Counties to the Ninth Judicial Circuit.
 15. Acts of 1847-48, Chapter 33, changed the time for holding circuit court for Carroll County to the second Mondays in January, May and September. This act was repealed by Acts of 1847-48, Chapter 198.
 16. Acts of 1851-52, Chapter 230, changed the time for holding circuit court in Carroll County to the fourth Mondays in April, August and December.
 17. Acts of 1853-54, Chapter 117, changed the winter term of circuit court in Carroll County to begin on the first Monday in January, rather than the fourth Monday in December.
 18. Public Acts of 1857-58, Chapter 21, changed the time for holding circuit court in Carroll County to the first Monday in January and the fourth Mondays in April and August.
 19. Private Acts of 1857-58, Chapter 93, repealed Public Acts of 1857-58, Chapter 21, as it applied to the terms of court for the Ninth Judicial Circuit and changed the times for holding court. Carroll County would hold circuit court on the first Monday in January and the fourth Mondays in April and August.
 20. Public Acts of 1857-58, Chapter 98, created sixteen judicial circuits and assigned Carroll, Henry, Benton, Humphreys and Weakley Counties to the Thirteenth Judicial Circuit. The circuit court terms in Carroll County would begin on the first Monday in January and the fourth Mondays in April and August.
 21. Public Acts of 1865, Chapter 32, authorized the Governor of the state to commission all officers elected in Carroll County under the Proclamation of Andrew Johnson, Military Governor of the state, and provided for the county and circuit courts to take the bond of the officers and qualify them according to law.
 22. Public Acts of 1865-66, Chapter 10, changed the times for holding the circuit courts in the Thirteenth Judicial Circuit, which consisted of Carroll, Henry, Benton, Weakley and Humphreys Counties. Court terms for Carroll County would begin on the first Mondays in January, May and September.
 23. Public Acts of 1869-70 (2nd Sess.), Chapter 31, divided Tennessee into fifteen judicial circuits. The Twelfth Judicial Circuit was comprised of Carroll, Benton, Henry, Weakley, Etheridge, Obion and Lake Counties and the special court at Union City in Obion County.
 24. Public Acts of 1869-70 (2nd Sess.), Chapter 46, set the time for holding circuit court in Carroll County on the first Mondays in January, May and September.
 25. Acts of 1885 (Ex. Sess.), Chapter 20, reorganized the state into fourteen regular and one special judicial circuits. The Twelfth Judicial Circuit was composed of Obion, Weakley, Henry, Carroll, Gibson, Crockett, Haywood and Benton Counties. The circuit court in Carroll County was to be held on the first Mondays in January, May and September.
 26. Public Acts of 1887, Chapter 94, amended Acts of 1885 (Ex. Sess.), Chapter 20, to change the time for holding circuit courts in the Twelfth Judicial Circuit. Carroll County would continue holding court on the first Mondays in January, May and September.
 27. Public Acts of 1889, Chapter 15, set the times for holding circuit court for the Twelfth Judicial Circuit which included Obion, Carroll, Henry, Weakley, Gibson, Trenton, Crockett and Haywood Counties, and the special court at Union City. The circuit court for Carroll County would begin on the first Mondays in January, May and September.
 28. Public Acts of 1891, Chapter 38, amended Acts of 1885 (Ex. Sess.), Chapter 20, and Public Acts of

1889, Chapter 15, and established eighteen judicial circuits. Carroll, Gibson, Crockett and Haywood Counties were assigned to the Eighteenth Judicial Circuit. Circuit court in Carroll County would begin on the first Mondays in January, May and September.

29. Public Acts of 1899, Chapter 409, changed the time of holding circuit court for Carroll County to the third Mondays in January, May and September.
30. Public Acts of 1899, Chapter 427, reorganized the lower court system into fourteen judicial circuits. The Thirteenth Judicial Circuit was composed of Crockett, Haywood, Benton, Carroll, Henry and Gibson Counties. The terms of the circuit court in Carroll County would commence on the fourth Mondays in February, June and October.
31. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, established twenty judicial circuits in Tennessee. The Thirteenth Judicial Circuit included the counties of Crockett, Haywood, Carroll, Henry and Gibson. The terms of the circuit court in Carroll County would begin on the fourth Mondays in February, June and October.
32. Public Acts of 1957, Chapter 249, changed the time for holding circuit court in Carroll County to the third Mondays in February, June and October.
33. Public Acts of 1965, Chapter 204, established judicial circuits for the state and created the Twenty-second Judicial Circuit. This new circuit was composed of Carroll, Benton, Decatur and Hardin Counties. Circuit Court for Carroll County began on the first Mondays in January, May and September.

Circuit Court - Clerk

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

1. Private Acts of 1919, Chapter 450, set the salary of the Circuit Court Clerk in Carroll County at \$1,500 per year. The Clerk was required to file a sworn itemized statement annually with the County Judge or Chairman showing the amount of fees collected in the office. If the fees were less than the salary, the county was to pay the difference; if the fees exceeded the salary, the Clerk could retain the excess.
2. Private Acts of 1921, Chapter 125, set the salary of the Circuit Court Clerk in Carroll County at \$1,500 per year. The Clerk was required to file a sworn itemized statement annually with the County Judge or Chairman showing the amount of fees collected in the office. If the fees were less than the salary, the county was to pay the difference; if the fees received exceeded the salary, the Clerk was allowed to retain the excess. This act is substantially the same as Private Acts of 1919, Chapter 450, with the exception of the population figures. After the 1920 census, Carroll County no longer fell within the population range for the 1919 act.
3. Private Acts of 1923, Chapter 196, set the salaries for the County Trustee, County Court Clerk, Register of Deeds, Circuit Court Clerk, Clerk and Master, and the Judge or Chairman of the County Court in Carroll County. Each official was required to keep an account of all fees collected in their respective offices and turn over to the County Trustee twice each year all fees, commissions, and charges received in excess of the prescribed salary. Each of the offices would be audited every two years. The salary of the Circuit Court Clerk was \$1,200 per year.
4. Private Acts of 1927, Chapter 756, amended Private Acts of 1919, Chapter 450, to raise the salary of the Circuit Court Clerk to \$1,500 per year, together with all the fees of the office in addition to the annual salary. The effect of this act is unclear since the 1919 act appears to have been superseded by both Private Acts of 1921, Chapter 125, and Private Acts of 1923, Chapter 196.
5. Private Acts of 1931, Chapter 720, set the fee for officers taking depositions at \$1 for the first 1,000 words, plus 10¢ for each 100 words over the first 1,000 words, provided that the officers did the stenographic work; if not, the fee was \$1.
6. Private Acts of 1935, Chapter 774, set the fees for taking depositions at \$1 for swearing in the witness, 30¢ for each 8½" by 14" typewritten page, and 10¢ per page for copies. This act applied to court officers, notaries, and stenographers who were authorized to take depositions.
7. Private Acts of 1937, Chapter 229, repealed Private Acts of 1919, Chapter 450, and Private Acts of 1927, Chapter 756.
8. Private Acts of 1937, Chapter 293, set the annual salary of the Circuit Court Clerk in Carroll County at \$1,500 to be paid \$125 per month, in addition to all fees collected by the office, provided that if the annual salary and the fees exceeded the maximum salary allowed under general law, the Clerk was required to pay the excess into the county treasury.

9. Private Acts of 1947, Chapter 319, amended Private Acts of 1937, Chapter 293, to increase the salary of the Clerk from \$1,500 to \$1,800, to be paid \$150 per month.

District Attorney General - Assistants and Criminal Investigators

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

1. Public Acts of 1967, Chapter 65, created the office of Assistant District Attorney General for the 22nd Judicial Circuit (which included Carroll County), to be appointed by the District Attorney General. The appointee had to be 21 years of age or older and licensed to practice law in Tennessee, and would be compensated as provided by general law and perform the duties and functions assigned and directed by the District Attorney General. This act was a public act of local application and was not codified in Tennessee Code Annotated.
2. Public Acts of 1976, Chapter 560, created an additional Assistant District Attorney General for the 22nd Judicial Circuit (which included Carroll County), to be appointed by the District Attorney General. This act was a public act of local application and was not codified in Tennessee Code Annotated.

General Sessions Court

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

1. Private Acts of 1959, Chapter 282, would have created a Court of General Sessions for Carroll County. The Sheriff was to provide a courtroom and other facilities for the court in the courthouse at Huntingdon. The court was to be vested with all of the jurisdiction and authority conferred by law upon Justices of the Peace in civil and criminal cases. The compensation of the Judge of the General Sessions Court would have been \$5,500 annually. The act failed to receive local approval and never became effective.

Secretarial Assistance

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

1. Public Acts of 1939, Chapter 71, created the office of stenographer to the Eighth Chancery Division, to be appointed by the Chancellor. The stenographer would be paid \$720 annually.
2. Public Acts of 1949, Chapter 109, purported in its caption and preamble to amend Public Acts of 1939, Chapter 71, but the body of the act did not apply to stenographers.
3. Public Acts of 1951, Chapter 36, created the office of stenographer to the Judge of the Thirteenth Judicial District, to be appointed by the Judge. The stenographer was paid \$900 annually.
4. Public Acts of 1963, Chapter 308, amended Public Acts of 1951, Chapter 36, to increase the compensation of the stenographer to \$1,800 annually.

Chapter VI - Education/Schools

Board of Education

Private Acts of 1931 Chapter 261

SECTION 1. That the County Board of Education in all counties of the State having a population of not less than 26,122 and not more than 26,142, by the Federal Census of 1930, or any subsequent Federal Census, be and the same is hereby authorized and empowered to borrow money and to issue the note or notes of the County Board of Education for a period of time not greater than one year, and at a rate of interest not greater than six per cent per annum, for the purpose of obtaining money with which to pay the salaries of teachers and the necessary operating expenses of the Elementary and High Schools until county taxes for the previous year are collected, and until the State Apportionments and Equalization Funds for schools for the current year are received. The note or notes for said loan or loans shall be repaid out of funds collected by the County Trustee for school purposes; *provided*, that no money can be borrowed for elementary school purposes and repaid out of high school funds and that no money can be

borrowed for high school purposes and repaid out of elementary school funds, and *provided further* that the money borrowed for the operation of high school [sic] or elementary schools during any school year must be repaid out of funds collected for the operation of schools for that year, and it shall be unlawful for the County Board of Education to borrow any money in excess of the funds to be collected for the operation of said schools for any one year. The loan or loans obtained for the benefit of the elementary schools shall not exceed \$60,000.00 for any one year, and the loan or loans obtained for the benefit of high schools shall not exceed \$30,000.00 for any one year.

SECTION 2. That loans heretofore obtained by said County Board of Education in counties, aforesaid, and notes or warrants executed by said County Board of Education, in counties, aforesaid, are hereby validated to the extent of not exceeding \$10,000.00 for the benefit of elementary schools, and \$10,000.00 for the benefit of high schools.

SECTION 3. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 21, 1931.

Private Acts of 1929 (Extra Session) Chapter 14

SECTION 1. That in all Counties having a population of not less than 24,355, nor more than 24,375 of [sic] the Federal Census of 1920, and any subsequent Federal Census, all elementary schools, rural, city and special school districts shall be under the direct supervision, management and control of the County Board of Education. That said County Board of Education is hereby authorized and empowered to employ all teachers in each and all elementary schools in said counties, to which this Act applies, to fix salaries and disburse all school funds arising from both State and County school funds on the basis as now fixed by law for the pro-rata [sic] of school funds, and that said disbursement shall include all equalization funds coming from the State.

SECTION 2. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

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

Passed: December 9, 1929.

COMPILER'S NOTE: This act possibly was abrogated by the provisions of Section 10 of Private Acts of 1949, Chapter 169, which vested the Board of School Commissioners with exclusive supervision and control over all public schools in the county "excluding, however, schools located within Special School Districts," although Section 10 also granted the Board of School Commissioners control over "all public school properties . . . within the control of the school authorities of such counties, or any Board of Education thereof . . ." However, the repeal of the 1949 act by Private Acts of 1951, Chapter 2, may have revived the 1929 act.

Private Acts of 1925 Chapter 776

SECTION 1. That in all counties having a population of not less than 24,355 and not more than 24,375, the County Board of Education is empowered and authorized to contract with the District Board of Education of any Special School District in said county having a Special School District for the management and control of the school or schools in said Special School District for the benefit of said school or schools in said special school district in any matter pertaining to the management, control and employment of teachers for said Special School District.

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

Passed: April 3, 1925.

COMPILER'S NOTE: General law provisions dealing with contracts between county boards of education and special school district boards for the operation of special district schools are found in T.C.A. Title 49, Chapter 2, Part 11.

Private Acts of 1967-68 Chapter 263

SECTION 1. The members of the Board of Education for Carroll County shall be elected at the expirations

of the present terms of office and from time to time thereafter by the registered voters at the County General Election in accordance with all the terms and provisions of *Tennessee Code Annotated*, Section 49-208 and Chapter 262 of the *Public Laws of 1961*, except as to election by the County Court.

SECTION 2. The present members shall hold office in their respective terms, and after the expiration of said terms until their successors may be elected and qualified as herein provided.

SECTION 3. This Act shall have no effect unless it is approved by a majority of the voters voting in a special election to be called for the approval or non-approval of this Act, and the Board of Election Commissioners for Carroll County shall call and hold said election within six (6) months after final legislative action on this Act in accordance with the general election laws and shall certify the approval or non-approval by the voters to the Secretary of State within thirty (30) days of said election.

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

Passed: May 18, 1967.

School Buses

Private Acts of 1931 Chapter 797

SECTION 1. That in counties of this State, having a population of not less than 26,122, nor more than 26,142, according to the Federal Census of 1930, or any subsequent Federal Census, all motor vehicles used, under contract with the school authorities in the transportation of school children to and from school shall in respect to the glass thereof, be equipped with shatterproof glass.

SECTION 2. That the violation of this Act by the owner of said motor vehicle shall be a misdemeanor and punishable as such.

SECTION 3. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: June 30, 1931.

School Libraries

Private Acts of 1935 Chapter 354

SECTION 1. That the County Board of Education or board of school commissioners of any town or city of Counties having a population of not less than Twenty-six Thousand One Hundred and Twenty-two (26,122) nor more than Twenty-six Thousand One Hundred and Forty-two (26,142) according to the Federal Census of 1930; [sic] or any subsequent Federal Census shall provide a school library for their respective school districts, containing such text books as may be adopted by the board of the department of education and the legally authorized local officials in sufficient numbers and of such gradation as will meet the needs of each resident pupil, classified in each of the grades one to eight, inclusive, of the elementary schools, if a petition, signed by at least fifty-one per cent of the registered voters of any such school district requesting the establishment of such a library be filed with the Chairman of the County Board of Education, as hereinafter provided.

SECTION 2. That the signatures to any such petition need not all be appended to one paper, but to each such petition paper there shall be attached an affidavit of the circulator thereof stating that each signature thereto was made in his presence and is the genuine signature of the person whose name it purports to be. The signatures to all petition papers shall be made in ink or indelible pencil, and, after his name, each signer shall state his residence by street and number or other description sufficient to identify the place, and the date when the signature was made. All such petition papers shall be in substantially the following form:

To the County Board of Education, Special School District Board of Education of the Special District of _____ We, the undersigned voters of the _____ Special School District of Carroll County, Tennessee, respectfully petition the County Board of Education of Carroll County, Tennessee, of [sic] the Special School District Board of Education to establish a school library and to lend school text books free of charge to the resident pupil [sic] of the school district, as provided for in Chapter _____ of the Private Acts of the General Assembly of 1935, Name _____ Address _____

_____ Date _____

State of Tennessee)

) ss.

Carroll County)

_____ being duly sworn, deposes and says that he is the circulator of this petition paper and that the signatures appended thereto were made in his presence and are the genuine signatures of the persons whose name they purport to be.

Signed _____

Subscribed and sworn to before me this the ____ day of _____ 19____.

Notary Public

My Commission expires on the ____ day of _____ 19____.

SECTION 3. That all petition papers requesting the establishment of a school library shall be assembled and filed as one instrument. The Special School District Board of Education shall first examine such petition and then submit said petition to the County Board of Education for their approval and shall cause the names appearing thereon to be checked against the voters qualified voting list of their respective district on file in the County Trustees' office of the County in which said school is situated. For the purpose of checking the names on such petition the County Board of Education may employ such number of clerks as may be necessary and may pay any expense so incurred out of the special school fund of such school district without an appropriation having been made therefor. Each clerk so employed shall take an oath to perform his duty honestly and faithfully and shall be paid not to exceed three dollars per day for each day he or she is necessarily engaged in the performance of his or her duty. If any qualified voter has moved from the place where he resided at the preceding general election he shall not be qualified to sign a petition, or if he does sign his name shall not be counted as a petitioner, unless he shall first have his registration transferred to the precinct in which he then resides, as is provided in the law relating to the registration of voters.

SECTION 4. That if a petition be filed, as hereinabove provided, such petition shall be filed with the Chairman of the County Board of Education on or before the first day of July of any year, and, if such petition is found to be sufficient, as herein provided, the Chairman of the County Board of Education shall make an appropriate entry on the records of such Special School District, to the effect that by reason of the filing of a petition as prescribed by law, such school district thereafter obligates itself to provide and maintain a school library containing such text books or work books used in lieu of or supplemental to text books as may be adopted by the department of education for the State of Tennessee, or the legally authorized local officials, in sufficient numbers and of such gradation as will meet the needs of each resident pupil enrolled in each of the grades one to eight, inclusive of the schools located within such school district.

SECTION 5. That the books of the library so established for the respective school districts shall be available to any resident pupil of such special school district, at any time, free of charge, under such regulations as are herein provided or as may be prescribed by the Special [sic] school district board of education.

SECTION 6. That if any special school district shall avail itself of the provisions of this Act, there shall be levied each year, by Special School District Board of Education in the same manner and at the same time that other taxes for school purposes are levied, a tax rate sufficient to produce a fund necessary to purchase the books as needed in establishing such library and to administer the provisions of this Act. Such fund shall be designated as the school library fund, shall be subject to deposit as other public funds and shall be used for no purpose whatsoever except the purchase and care of such library books.

SECTION 7. That the County Board of Education shall prescribe reasonable rules and regulations for the protection [sic] care, custody and return of such library books. The resident pupil using such library books shall be held responsible for all damages to, loss, mutilation or defacement of such books, or failure to return the same to the said library according to the prescribed rules and regulations, excluding the reasonable wear thereof.

SECTION 8. That the library books provided for in this Act shall in all cases be the elementary text books selected by the state department of education as now provided by law, and other text books and work books supplemental to or in lieu of text books used in the elementary schools which may be legally

adopted by the authorized public school officials of the various Special School district [sic] Board of Education.

SECTION 9. That it shall be the duty of the County Board of Education and the Special School District Board of Education to at such times as books may be needed in the school library located in their respective Special School Districts, to make such requisition for books as the pupils shall need, upon the contractor, and the contractor shall, within ninety days, ship the books, so ordered directly to the respective officials so making such requisition. Upon the receipt of such books it shall be the duty of such school district to take charge and custody through their local Special School District Board of Education of all the books consigned to their several schools in their respective district, receipting therefor to the contractor, and upon receipt of such books by the County Board of Education and the Special School District Board of Education, they shall loan them, free of charge, to the resident pupils of their respective districts upon prescribed regulations for loaning such library books. Upon receipt of such books it shall be the duty of the County Board of Education and the Special School District Board of Education establishing [sic] library of school text books, to pay over to the contractors the amount owing by such Special School District for such books so procured, at the price fixed thereof, by the contract entered into between the state department of education or the text book commissioners, the legally authorized local officials, and the contractor, out of the school library fund.

SECTION 10. That the Special School District Board of Education with the approval of the County Board of Education shall provide for sufficient library facilities for safekeeping, care and protection of such books as may best accommodate the resident pupils of the Special School District, and they shall provide for the fumigation or destruction of such library books, at such times and under regulations prescribed by the local and state health authorities.

SECTION 11. That in the event that a pupil shall be transferred for educational purposes to a school district other than the one in which he is a resident, as now provided by law, the Special School District Board of Education of the Special [sic] school district to which such pupil is transferred shall purchase a sufficient supply of books to accommodate such pupil so transferred, or if such pupil is not able to purchase said books then the Special school district Board of Education is hereby authorized and empowered to charge such pupil transferred a reasonable fee for the use of the text books and said fees charged shall be deposited in the text book library fund for that special school district, the rate of which rental shall be determined from time to time by the Special School District Board of Education.

SECTION 12. That the County Board of Education or Special School District Board of Education are authorized to purchase a sufficient number of such books and sell the same to any resident pupil of the Special School District who may wish to purchase the same, at the price stipulated in the contract or contracts, under the terms of which text and work books are supplied to the several school districts of the County of Carroll and the State of Tennessee. Such funds so received shall be paid into the school library fund from which the books were purchased; That the County Board of Education and the Special School District Board of Education of the respective Special School District, which may establish such school library under the provisions of this Act, shall purchase with money from the school library fund any current text book legally adopted for any school year by the legally authorized authorities, as herein specified, at a price based upon the original retail cost less a reasonable reduction according to the condition of the said text book or books because of damage due to usage, from any resident pupil who may present such book or books for sale on or before the beginning of the school year in which such books are to be used; and the proper school authorities shall likewise purchase any stock of books which are to be used during any school year from any dealer whose place of business is located in the county in which such special school district is located, and who was authorized by law to sell such books prior to the adoption of this Act, at not to exceed the price paid by such dealer to the contractor from which such books were originally purchased.

SECTION 13. That when a petition is filed as provided in this Act, and when, by an appropriate entry, the school district shall have obligated itself to establish and maintain a school library, as herein provided, the first tax levy shall be made in the month of September next succeeding the filing of such petition and the library shall be established and the text books constituting such library shall be loaned beginning with the school year next succeeding the fixing of such original tax levy, but during such year such books shall be procured and loaned to resident pupils enrolled in grades one to five, only, and during the next and each succeeding school year, such books shall be procured and loaned to resident pupils who are enrolled in grades one to eight, inclusive.

SECTION 14. That the term "school library" as used in this Act shall mean a library containing elementary text books used in the elementary schools, grades 1 to 8, inclusive, adopted by the board of the department of education, and such other text books which may be legally adopted by the respective locally legally authorized school officials. The term "resident pupil" means a pupil actually enrolled in any of the grades from 1 to 8 in any school located in such special school district, whether actually resident

therein or transferred thereto for school purpose [sic], as provided by law. The term "text book" includes also any work book which is used in lieu of or supplemental to a text book or text books.

SECTION 15. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 8, 1935.

Special School Districts

Hollow Rock-Bruceton

Private Acts of 1927 Chapter 317

COMPILER'S NOTE: This act must be read in conjunction with Private Acts of 1929, Chapter 917, and Private Acts of 1957, Chapter 294, both reproduced herein.

SECTION 1. That a Special School District, be and the same is hereby created and established, embracing all of the Sixteenth, Seventeenth, Eighteenth Civil Districts and a portion of the Fifteenth Civil District of Carroll County, Tennessee, and including the Town of Bruceton and the Town of Hollow Rock to be known and designated as the Hollow Rock-Bruceton Special School District, with the following boundaries:

Beginning at a point in the west boundary line of Benton County, Tennessee, same being the northeast corner of the 16th Civil District of Carroll County, also being the northeast corner of the Hollow Rock-Bruceton Special School District, and the southeast corner of the 17th Civil District of Carroll County, runs thence northerly [sic] with the west boundary line of Benton County, and the east line of the 17th Civil District of Carroll County to the south boundary line of Henry County, Tennessee, runs thence westernly [sic] with the south boundary line of Henry County, and north line of the 17th Civil District of Carroll County, to the northwest corner of the said 17th Civil District, also the northeast corner of the 10th Civil District of Carroll County, runs thence southerly with the east line of the 10th Civil District to the northeast corner of the 23rd Civil District of Carroll County, same being the northwest corner of the 16th Civil District of Carroll County, thence on southerly [sic] with the east line of the 23rd Civil District and the west line of the 16th Civil District to a point in the old Bristol-to-Memphis highway thence on southerly [sic] with the east boundary line of the 11th Civil District of Carroll County to what is known as the "Rolland Mill" road, also being the north boundary line of the 15th Civil District of Carroll County, Tennessee, thence easterly with said road to the intersection with a road leading south to the Huntingdon and Buena Vista Road, thence southerly [sic] with said road to the intersection of the Huntingdon and Buena Vista Road, thence westernly [sic] to the intersection of the Smyrna road, thence in a southern direction with said road to Smyrna School house, thence southeasterly [sic] with said road to the north line of the 24th Civil District of Carroll County, Tennessee, thence easterly with the north line of the 24th District (also the south line of the 15th Civil District) to the intersection with the west line of the 18th Civil District of Carroll County, thence easterly [sic] and southerly [sic] with the west line of the said 18th Civil District to the southwest corner of said district, thence easterly with the south line of said 18th Civil District to the west boundary line of Benton County, thence northerly [sic] with the west line of Benton County and the east line of the 18th and 16th Civil District of Carroll County, to the beginning.

As amended by:

Private Acts of 1963, Chapter 235

SECTION 2. That the management and control of the schools in said Special School District shall be and is vested in a district Board of Education for said Special School District, whose duty it shall be to maintain an elementary school at Hollow Rock and an elementary school at Bruceton, and such other elementary schools as may be required under the general laws of the State, and in said elementary schools shall be taught all branches now required to be taught in elementary schools, and said County Board of Education is to have the supervision of the employment of all teachers, to open and close the schools and determine the length thereof, to suspend and dismiss pupils when the occasion and efficiency of said schools demand it, that is, having supervision, management, and control of said elementary schools. It shall also be the duty of said County Board of Education to establish and maintain a four year Central High School in said Special School District, to be located as nearly as practicable between the two Towns, Hollow Rock and Bruceton, but not to be located within the present bounds of the municipal corporation of either of said Towns. The location of said Central High School is to be determined by said County Board of Education, and they are authorized and empowered to obtain grounds for the location of said school, either by purchase or by eminent domain as provided for by the general laws of the State, and said County Board of Education is to have full supervision, management and control of said Central High School, the employment of teachers, to open and close said schools and determine the length of the term, to suspend and dismiss pupils when the occasion and efficiency of said school demands it, to have full supervision,

management and control of said Central High School.

As amended by: Private Acts of 1929, Chapter 917

COMPILER'S NOTE: Private Acts of 1929, Chapter 917, amended only Section 2 to strike out the words "County Board of Education for Carroll County, Tennessee," and insert therefor "a district Board of Education for said Special School District." Amending the act in this manner leaves numerous references to the County Board of Education, both in Section 2 and in Sections 4, 6 and 7. Based upon subsequent amendments and supplementary acts pertaining to this school district, it appears that the legislature intended that the County Board of Education have some degree of control over the special school district. Section 3 of the 1929 act (reproduced hereinbelow), which supplements the provisions of this act, grants the County Board of Education the power to employ teachers in special school district schools, with the recommendation of the district Board of Education.

SECTION ____. That in the event of the inability, refusal to act, or a vacancy in the office of a member or members of the District Board of Education, (vacancy being defined as moving outside the boundaries of the Special School District), then the remaining members of the District Board of Education shall elect a member or members to serve until the next regular election, at which election the qualified voters shall elect the Board member for the unexpired term in the manner presently provided.

As amended by: Private Acts of 1963, Chapter 234

COMPILER'S NOTE: Private Acts of 1963, Chapter 234, added to Private Acts of 1927, Chapter 315, the new section reproduced above, but failed to designate a section number.

SECTION 3. That there is hereby assessed for the year 1983 and each subsequent year thereafter, a tax not to exceed two dollars (\$2.00) on every One Hundred Dollars worth of taxable property, both personal and real, situated within said Hollow Rock and Bruceton Special School District, the funds so arising from said special assessments shall be used by the Hollow Rock and Bruceton Special School District Board in supplementing the general funds arising from the State and County and other sources to support and maintain the High School and Elementary schools in said District, and said assessment for said taxes on such property shall be the assessed value as shown by the books of the County Trustee and the records in the County Court Clerk's Office. And all taxes assessed on real estate under this Act are a lien upon such real estate and the taxes herein assessed shall become due and be collected under the general laws of the State by the County Trustee. The taxes herein provided for, together with all school funds apportioned to said Special School District in accordance to and under the general laws of the State shall be used by the Hollow Rock and Bruceton Special School District Board of Education in supporting and maintaining said elementary schools and Central High School. It is hereby made the duty of the Tax Assessor of Carroll County to prepare a separate and complete list of all taxable property both real and personal within said Special School District for the use of the County Trustee, in making collection of said taxes, and no personal property of the taxpayers within said Special School District shall be exempt from a levy or execution for their tax assessment on personalty herein assessed by this Act.

The District Board of Education of the Bruceton-Hollow Rock Special School District shall have the authority to set the tax rate lower than that imposed by this Act as amended or any other act setting a tax rate for the Bruceton-Hollow Rock Special School District but shall not have the power to impose a tax in excess of any statutory levy nor shall it have the power to lower any special levy assessed for the purpose of bond repayment. In order to change the rate of taxation, the Board shall certify on or before September 1 to the county trustee the new special school district tax rate not to exceed the rate imposed by any legislative act, and the county trustee shall collect only the taxes based on the rates so certified.

As amended by: Private Acts of 1951, Chapter 696

Private Acts of 1955, Chapter 195

Private Acts of 1972, Chapter 242

Private Acts of 1975, Chapter 128

Private Acts of 1983, Chapter 50

SECTION 4. That all the children living within the boundaries of Bruceton shall attend the elementary school in Bruceton, and all the children living within Hollow Rock shall attend the elementary school in Hollow Rock, and the children living outside of the town of Hollow Rock and Bruceton, and within the bounds of said school district, shall attend such elementary school as may be designated by said County Board of Education.

All High School students living within the bounds of this Special School District are entitled to attend said Central High School provided for in this Act, and the County Board of Education is authorized and empowered to make such arrangements as they see proper for high school students living outside of said Special School District to attend said Central High School by complying with the rules and regulations of said Central High School in the payment of such tuition and other fees as may be fixed in said regulations by said County Board of Education.

SECTION 5. That this the Hollow Rock-Bruceton Special School District is hereby authorized and

empowered to issue and sell coupon bonds in an amount not exceeding Fifty Thousand (\$50,000.00) Dollars and to bear a rate of interest not exceeding six (6) per cent per annum, said bonds to be in denomination of One Thousand (\$1,000.00) Dollars each, and are to be numbered one to fifty inclusive, and are not to be sold for less than par value, and all of said bonds to mature within twenty-five years after the date of their issuance. The proceeds of the sale of said bonds to be used exclusively for the purpose of obtaining lands upon which to locate said Central High School and constructing, erecting and equipping a school building or buildings, and the maintenance of said Central High School.

SECTION 6. That said bonds when issued and sold are to be signed by the Chairman of the County Board of Education as such Chairman, and countersigned by the Secretary of said County Board of Education, and each coupon attached to said bonds shall bear the fac-simile [sic] of the signatures of said Chairman and Secretary of said Board of Education.

Said County Board of Education is authorized to sell said bonds, when issued, so that a part of them may fall due at different times or all of them at the same time, said sale to be made in such a manner as to be to the best interest of said Special School District.

SECTION 7. That there is hereby levied a tax of forty cents on every One Hundred Dollars worth of taxable property for the year 1927 and each year thereafter, within said Hollow Rock-Bruceton Special School District, so as to create a fund to pay the interest annually and to create a sinking fund to pay said bonds as they may fall due when issued and sold as herein provided for in this Act.

SECTION 8. That the bonds herein provided for shall not be issued and sold until after an election shall be held in said Special School District, at the regular voting places in Special School District, said election to be called and held by the County Election Commissioners upon the request and application of the County Board of Education, whose [sic] duty it shall be under this Act, to make application to the Election Commissioners of the County to call and hold an election at the different voting places in said Special School District, so that the County Board of Education can as a result of said Election issue and sell said bonds upon a majority of the legal voters in said Special School District voting for the issuance of said bonds. If in said election so called and held a majority of the voters vote for the issuance of said bonds, then it will be the duty of said County Board of Education to issue and sell said bonds according to the provisions of this Act. But in no event shall the said Board of Education issue and sell said bonds until after a majority of the voters voting in an election called and held under this Act, and as herein provided, shall vote for the issuance of said bonds. And this Act shall not be construed from [sic] preventing more than one election to be held, if a majority of the voters in said election fails to vote for the issuance of said bonds in an election held under this Act. The ballots to be used in said election or elections shall have on them "For the issuance of said bonds" and "Against the issuance of said bonds" and this shall be the character of ballot used in any and all elections that may be held under this Act for the purpose of determining the will of the voters in said district as to the issuance of said bonds as herein provided for in this Act. Said bonds shall be known and designated as Hollow Rock-Bruceton Special School bonds.

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

Passed: April 12, 1927.

Private Acts of 1929 Chapter 917

COMPILER'S NOTE: Section 1 of this act amended Private Acts of 1927, Chapter 317, but the remainder of the act contained additional provisions pertaining to the special school district. This act has been amended twice since its enactment. This act must be read in conjunction with Private Acts of 1927, Chapter 317, and Private Acts of 1957, Chapter 294, both reproduced herein.

SECTION 1. That Chapter 317, Private Acts of 1927, be amended by striking out of Section 2, wherever there appears therein the words "County Board of Education for Carroll County, Tennessee," and insert therefor "a district Board of Education for said Special School District."

SECTION 2. That said District Board of Education will consist of five (5) members, and the first board shall consist of *E. E. Moss, M. Jordan, P. M. Pinkley, L. A. DePriest, and J. P. Cooper*, the said Board to serve until the regular August Election of 1932, when one member shall be elected for a period of two years, two members for a period of four years and two members for a period of six years, and thereafter all members shall be elected for a term of six years, and who shall serve until their successors are elected and qualified.

COMPILER'S NOTE: Private Acts of 1957, Chapter 294, Section 1, amended Section 2 of this act, but Section 1 of the 1957 act was deleted by Private Acts of 1965, Chapter 125, leaving Section 2 of this act as it was originally enacted. The provisions in Section 2 have been superseded by Private Acts of 1957, Chapter 294 (reproduced hereinbelow), as amended by Private Acts of 1965, Chapter 125.

SECTION 3. That the employment of all teachers in the elementary and high schools in said district shall be ratified and confirmed by the County Board of Education before said employment shall be effected but said County Board of Education can employ teachers in said schools in said districts only upon the recommendation of the Board of Education of said Special School District.

SECTION 4. That in the election of the members of said Board at the time and as provided in this Act, not more than one member of said Board shall reside within the corporate limits of Hollow Rock and not more than two members of this Board shall reside within the corporate limits of Bruceton, the Member-at-Large of the Sixteenth (16th) Civil District shall not reside within either of the Corporate limits and the other remaining members, one each from the 15th, 17th, and 18th Civil Districts, shall reside within the Civil District that they represent.

As amended by: Private Acts of 1965, Chapter 125.

SECTION 5. That it shall be the duty of said Board of Education herein named to immediately after the passage of this bill meet and elect one of their members Chairman and one of their members Secretary and Treasurer and to adopt such rules as they may see proper that is [sic] not in conflict with this Act for their government in their deliberations and actions as such Board of Education. It shall be the duty of the Treasurer to execute a bond payable to the State of Tennessee in such sufficient sum as may be fixed by said Board, which bond shall be in the usual form as bonds of County Trustees and for the use and benefit of said Special School District.

SECTION 6. That if any provision of this Act is declared unconstitutional that this shall not affect the validity of the remaining section [sic] of this Act.

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

Passed: April 11, 1929.

Private Acts of 1957 Chapter 294

COMPILER'S NOTE: All of the substantive sections of this act were deleted and new provisions were inserted by Private Acts of 1965, Chapter 125. This act must be read in conjunction with Private Acts of 1927, Chapter 317, and Private Acts of 1929, Chapter 917, both reproduced herein.

SECTION 1. That said District Board of Education will consist of seven (7) members and the Board shall be composed of one member from the Fifteenth (15th) Civil District of Carroll County, namely C. B. Williams, one member from the Seventeenth (17th), namely C. T. Douglas, one member from the Eighteenth (18th), namely Bernard Butler, and the Sixteenth (16th) Civil District shall be represented by one (1) member from Hollow Rock, Tennessee, two (2) members from Bruceton, Tennessee, and one Member-at-Large from the Sixteenth (16th) Civil District and one (1) member from the Fifteenth (15th) Civil District Precinct shall be elected for a four (4) year term of office; and one (1) member from the Seventeenth (17th) Civil District and one (1) member from the Eighteenth (18th) Civil District shall be elected for a two (2) year term; the remaining members of said Board to serve until the next regular August election in 1968 when there shall be elected one (1) member from the corporate limits of Hollow Rock, one (1) member from the corporate limits of Bruceton, and one (1) member from the Seventeenth (17th) Civil District and one (1) member from the Eighteenth (18th) Civil District shall be elected for a four (4) year term. Thereafter the term of office for all Board Members shall be for four (4) years and until their successors are elected and qualified so as to provide for staggered terms of Office for Board Members.

As amended by: Private Acts of 1965, Chapter 125.

SECTION 2. That the election of members of the District Board of Education shall be by an election held under the auspices of the Board of Election Commissioners for Carroll County, Tennessee, and in the election of members of said District Board of Education the qualified voters of the Hollow Rock Precinct shall elect the Board member from the Town of Hollow Rock, and the qualified voters of the Bruceton Precinct shall elect the members of said District Board of Education from the Town of Bruceton, and the qualified voters of both Precincts (Hollow Rock and Bruceton) shall elect the Board Member-at-Large from the rural area of the Sixteenth (16th) Civil District, the qualified voters of the Fifteenth (15th) Civil District voting Precinct shall elect the member from the Fifteenth (15th) Civil District, the qualified voters of the Seventeenth (17th) Civil District Voting Precinct shall elect the member from the Seventeenth (17th) Civil District, and the qualified voters of the Eighteenth (18th) Civil District voting precinct shall elect the member from the Eighteenth (18th) Civil District.

As amended by: Private Acts of 1965, Chapter 125.

SECTION 3. That this Act shall have no effect unless the same shall be approved by a majority of the voters residing in the area embraced within said Hollow Rock-Bruceton Special School District in an

election to be held for such purpose.

It shall be the duty of the Board of Election Commissioners of Carroll County, Tennessee, after final legislative action upon this Act, to call an election to be held on the _____ 1965, at the regular voting precincts in the Civil Districts embraced in the area covered by this Act. Not less than thirty (30) days notice shall be given by said Election Commissioners of said election. Ballots used in said election shall have printed thereon the title or substance of this Act, and voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the Board of Election Commissioners upon the first Monday occurring five days or more next after the date of such election, and the results shall be proclaimed by such Board and certified to the Secretary of State and to the Board of Education of the Hollow Rock-Bruceton Special School District. The qualification of voters shall be that as provided by the General Election Laws of this State.

As amended by: Private Acts of 1965, Chapter 125.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 22, 1957.

Bonds

Private Acts of 1965 Chapter 3

SECTION 1. That Hollow Rock-Bruceton Special School District in Carroll County, Tennessee, as created by Chapter 317 of the 1927 Private Acts of Tennessee, is hereby authorized to borrow money and issue its negotiable bonds therefor in the principal amount of not exceeding Two Hundred Twenty-three Thousand Dollars (\$223,000) for the purpose of refunding the outstanding School Bonds of said district dated March 1, 1960 and paying the necessary redemption premiums thereon. Said bonds shall bear interest at such rate or rates not exceeding six per cent (6%) per annum, payable annually or semi-annually, shall mature serially or otherwise in not exceeding thirty (30) years after date thereof and shall be subject to such terms of redemption, with or without premium, as may be provided by resolution of the Board of Education of said school district. Said bonds shall be in such form and of such denomination and shall be sold in such manner as the district Board of Education may provide by resolution, but in no event shall such bonds be sold for less than par and accrued interest. The district Board of Education is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds. Said bonds shall be signed by the Chairman of said Board of Education and attested by the Secretary of said board and the coupons attached thereto shall be signed by the facsimile signatures of said officials. The proceeds derived from the sale of said bonds shall be deposited in a fund separate and apart from all other funds of said special school district and shall be used for no purpose other than the payment of principal of and redemption premiums on said outstanding School Bonds dated March 1, 1960, and the payment of incidental expenses incurred in connection with the issuance of said refunding bonds.

SECTION 2. That for the purpose of paying the principal of and interest and any redemption premiums on the refunding bonds herein authorized, there is hereby levied a continuing annual tax of One and ten-hundredths Dollars (\$1.10) on each One Hundred Dollars (\$100) worth of taxable property in said Hollow Rock-Bruceton Special School District, beginning with the year 1965 and continuing until said bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the county officials of Carroll 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 said 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 redemption premiums on the refunding bonds herein authorized.

As amended by: Private Acts of 1965, Chapter 32

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

SECTION 4. That 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.

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

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

Adopted: January 27, 1965.

Private Acts of 1967-68 Chapter 318

SECTION 1. That Hollow Rock-Bruceton Special School District in Carroll County, Tennessee, as created by Chapter 317 of the 1927 Private Acts of Tennessee, is hereby authorized from time to time to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of not exceeding two hundred thousand dollars (\$200,000.00) for the purpose of constructing, improving and equipping school buildings and additions thereto for said School District, together with the purchase of necessary sites in connection therewith. Said bonds shall bear interest at such rate or rates not exceeding six per cent (6%) per annum, payable annually or semiannually, shall mature serially or otherwise in not exceeding thirty (30) years after date thereof 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. Said bonds shall be in such form and of such denominations and shall be sold in such manner as the members of said 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 said bonds. Said bonds shall be signed by the Chairman of said Special School District Board and attested by the Secretary of said Board, and the coupons attached thereto shall be signed by the facsimile signature of said officials.

SECTION 2. That 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 seventy-five cents (75¢) on each one hundred dollars (\$100.00) worth of taxable property in said Hollow Rock-Bruceton Special School District, beginning with the year 1968 and continuing until said bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the County officials of Carroll 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 said 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 redemption premiums on the school bonds herein authorized.

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

SECTION 4. That the bonds herein authorized shall not be issued until the issuance thereof has been ordered by a majority of the qualified voters of said district voting in an election called for such purpose by the Election Commissioners of Carroll County. The Election shall be held at the same time that the August, 1968 General Election is held for the County of Carroll, or in the event there is a general election held in Carroll County, Tennessee, prior to the August, 1968 general election, then the election may be held at this time, in either event, such election shall be held in the same manner and by the same officials as general elections are required to be held in Carroll County and notice thereof shall be given at least twenty (20) days prior to the date of said election by publication of an appropriate notice not less than one time in a newspaper of general circulation in such district. At such election the ballot shall state briefly the maximum amount of bonds to be authorized and the purpose for which such bonds are to be authorized and shall contain the words "for the issuance of bonds" and "against the issuance of bonds". Opposite each of said phrases shall be a hollow square and the elector shall indicate his vote "for the issuance of bonds" or "against the issuance of bonds" by inserting a mark in the square opposite the appropriate phrase. The Election Commission of Carroll County shall canvass the returns of such election and determine and declare in writing the results thereof. Such declaration shall constitute conclusive evidence of the results of said election. This Act shall have no effect unless the proposition to issue said bonds shall have been approved by a simple majority of the voters residing in the area embraced within the Hollow Rock-Bruceton Special School District voting in said election. But upon such approval of said proposition, this Act shall be deemed to have been approved by said voters and shall be in full force and effect. The Election Commission of Carroll County shall certify the approval or non-approval of this Act to the Secretary of State and to the Board of Education of the Hollow Rock-Bruceton Special School District. The qualification of voters shall be that as provided by the general election laws of this State.

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

SECTION 6. That 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 therein.

SECTION 7. That this Act shall take effect upon its passage, the public welfare requiring it.

Passed: February 26, 1968.

Private Acts of 1969 Chapter 4

SECTION 1. Any and all actions and proceedings heretofore taken by the electors and the Board of Education of Hollow Rock-Bruceton Special School District in Carroll County, Tennessee, relating to the authorization and sale of not exceeding \$200,000 school bonds of said District authorized by Chapter 318 of the 1968 Private Acts of Tennessee, including without limitation the approval of the issuance of said bonds at a bond referendum held within said District on August 1, 1968, are hereby in all respects validated, ratified and approved notwithstanding any irregularities or defects of notice or such bond referendum nor any other irregularities or defects whatsoever.

SECTION 2. That said school bonds to the amount of \$200,000 when issued and delivered in compliance with the proceedings heretofore taken and hereinabove in Section 1 validated, shall constitute the valid and binding obligations of Hollow Rock-Bruceton Special School District in accordance with their terms.

SECTION 3. That all laws or parts of laws in conflict herewith be and the same are hereby repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 27, 1969.

Private Acts of 1977 Chapter 30

COMPILER'S NOTE: Unlike previous acts, the district is referred to throughout this act as "Hollow Rock Bruceton Special School District" without the use of a hyphen.

SECTION 1. Hollow Rock Bruceton Special School District in Carroll County as created by Chapter 317 of the Private Acts of Tennessee of 1927, as amended, is hereby authorized from time to time to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of not exceeding one million one hundred thousand dollars (\$1,100,000.00) for the purpose of constructing, improving and equipping school buildings and additions thereto for said School District. These bonds shall bear interest at such rate or rates not exceeding six and one half percent (6 1/2%) per annum, payable annually or semi-annually, shall mature serially or otherwise in not exceeding thirty (30) years after date thereof, 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 said bonds. The bonds shall be signed by the chairman of the Special School District Board and attested by the Secretary of the Board, and the coupons attached thereto shall be signed by the facsimile signature of both officials.

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 eighty-five cents (\$1.85) on each one hundred dollars (\$100.00) worth of taxable property in the Hollow Rock Bruceton Special School District, beginning with the year 1977 and continuing until these bonds have been paid in full as to both principal and interest. The taxes shall be annually extended and collected by the county officials of Carroll County in the manner provided by and 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 redemption premium on the school bonds herein authorized.

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

SECTION 4. The bonds herein authorized shall not be issued until the issuance thereof has been ordered by a simple majority of the qualified voters of the special school district voting in an election called for that purpose by the County Election Commission of Carroll County. Such election shall be held in the same manner and by the same officials as general elections are required to be held in Carroll County. Within thirty (30) days after this Act becomes a law, the County Election Commission of Carroll County shall call an election. Notice thereof shall be given not less than twenty (20) days, nor more than thirty (30) days,

prior to that date of the election by publication of an appropriate notice not less than one (1) time in a newspaper of general circulation in the district. At the election the ballot shall state briefly the maximum amount of bonds to be authorized and the purpose for which such bonds are to be authorized and shall contain the provisions "For the issuance of bonds" and "Against the issuance of bonds". Opposite each of these provisions shall be a hollow square and the elector shall indicate his vote "For the issuance of bonds" or "Against the issuance of bonds" by inserting a mark in the square opposite the appropriate provision. The County Election Commission of Carroll County shall canvass the returns of the election and determine and declare in writing the results thereof. This declaration shall constitute conclusive evidence of the election. This Act shall have no effect unless the proposition to issue the bonds shall have been approved by a simple majority of the voters residing in the area embraced within the Hollow Rock Bruceton Special School District voting in the election. Upon approval of the proposition, this Act shall be deemed to have been approved by the voters and shall be in full force and effect. The County Election Commission of Carroll County shall certify the approval or non-approval of this Act to the Secretary of State and to the Board of Education of the Hollow Rock Bruceton Special School District. The qualification of voters shall be that as provided by the General Election Laws of Tennessee. All laws applicable to general elections shall apply to the determination of the approval or rejection of this Act. The cost of the election shall be paid by the Hollow Rock Bruceton Special School District.

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

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 therein.

SECTION 7. For the purpose of approving this Act as provided in Section 4, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect upon being approved as provided in Section 4.

Passed: April 6, 1977.

Private Acts of 1996 Chapter 180

SECTION 1. Hollow Rock-Bruceton Special School District, located in Carroll County, Tennessee (the "District"), created by Chapter 317 of the Private Acts of 1927, as amended by Chapter 917 of the Private Acts of 1929, Chapter 56 of the Private Acts of 1941, Chapter 696 of the Private Acts of 1951, Chapter 195 of the Private Acts of 1955, Chapter 294 of the Private Acts of 1963, Chapter 125 of the Private Acts of 1963, Chapter 242 of the Private Acts of 1972, Chapter 128 of the Private Acts of 1975, Chapter 50 of the Private Acts of 1983, and Chapter 58 of the 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, by resolution of the Board of Education of the District, bonds in the aggregate principal amount of not to exceed five million seven hundred fifty thousand dollars (\$5,750,000) 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 interests therein, necessary in connection with said work; (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 Education 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 Education. 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 Education, 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 Education 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 Education shall deem necessary and 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 Education authorizing the Bonds.

SECTION 4. So long as any of the Bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 30 of the Private Acts of 1977, as amended, shall continue to be levied at a rate which shall be hereby fixed at ninety-four cents (\$0.94) per one hundred dollars (\$100) of assessed value of real and personal property located within the District, effective as to said rate on January 1, 1996, for the 1996 tax year and each tax year thereafter. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Section 67-5-1704, Tennessee Code Annotated, 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 Education, the county assessor of property shall certify to the county trustee and the Board of Education of the District the total assessed value of taxable property within the District and furnish the county trustee and the Board of Education 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 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 Section 67-5-1701(b), Tennessee Code Annotated, or any successor thereto. Said taxes shall be used exclusively to pay principal of and interest on the Bonds authorized herein and any other indebtedness of the District as they come due and to maintain debt service fund balances. The Board of Education is hereby authorized to pledge such taxes 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 Carroll 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. The proceeds of said taxes, when collected, shall be deposited to a debt service fund to be established and maintained by the District. The debt service fund is established for the specific purpose of receiving the taxes authorized herein and any other funds which may from time to time be pledged to the payment of indebtedness of the District. The debt service fund and the funds therein shall be maintained and accounted for until payment in full of all outstanding obligations of the District and shall be used for the purpose of paying principal of and premium, if any, and interest on the Bonds and any other indebtedness of the District. In the event 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 Education of the District, 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.

SECTION 5. The Board of Education is authorized to pledge to the payment of the Bonds 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 Section 49-3-351 et seq., Tennessee Code Annotated, and related sections; (b) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Carroll County, Tennessee, pursuant to Section 67-6-712, Tennessee Code Annotated; 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 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 Education, 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 Education, 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 Education. 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 Education. The Board of Education 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 Education shall deem necessary or desirable.

SECTION 9. 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 10. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 18, 1996.

Huntingdon

Private Acts of 1919 Chapter 374

COMPILER'S NOTE: This act must be read in conjunction with Private Acts of 1957, Chapter 286 (reproduced herein).

SECTION 1. That a Special School District be, and the same is, hereby created and established, embracing all of the Tenth Civil District, portions of the Seventh [sic] Eighth, Eleventh, Twelfth, Fifteenth, Nineteenth, and Twenty-Third Civil Districts of Carroll County, Tennessee, and including the Town of Huntingdon to be known and designated as the "Huntingdon Special School District"; with the following boundaries:

Beginning at a point where the boundary lines of Carroll and Henry Counties meet the boundary lines between the Ninth and Tenth Civil Districts of Carroll County; running thence southwardly along the aforesaid boundary line of the Ninth and Tenth Civil Districts of Carroll County to a point where this line meets the northwest corner of the Twenty-Third Civil District; thence southwestwardly along the boundary between the Ninth and Eleventh Civil Districts to their intersection with Crooked Creek; thence following the south bank of Crooked Creek to its junction with the South Fork of the Obion River (Beaver Creek Drainage Canal); thence following the southwest bank of the Obion River (Beaver Creek Drainage Canal) in a southeastwardly direction to its junction with the Wilson Bridge Branch; thence following the southeast bank of the Wilson Bridge Branch in a southwestwardly direction to its crossing at the Old Wilson Bridge on the New Zion Road; thence following the southwest (right) side of the New Zion Road to its junction with Highway 77; thence following the north (right) side of Highway 77 to a point of intersection with the boundary between the Fifth and Nineteenth Civil District; thence crossing Highway 77 southwardly along the Fifth and Nineteenth Civil District boundary to the Fifth and Eighth Civil District Boundary; thence continuing southwardly along the Fifth and Eighth Civil District boundary to its intersection with the Old Lexington-McLemoresville Road; thence following the southwest (right) side of this road in a southwestwardly direction to its junction with Highway 70; thence southwestwardly along the northwest (right) side of Highway 70 to the Rutherford fork of the Obion River; thence eastwardly to a point of intersection of the boundaries of the Seventh, Twelfth, and Thirteenth Civil Districts, thence eastwardly along the boundary line of the Twelfth and Thirteenth Civil Districts to its junction with the northern boundary of the South Carroll Special School District; thence following the northern boundary of the South Carroll Special School District to its junction with Humble Branch; thence following the east bank of Humble Branch northwardly to its crossing of the Kyle Road; thence following the Northeast (left) side of Kyle Road southeastwardly to a junction with the West Smyrna Road; thence northwardly along the west (left) side of the West Smyrna Road to its junction with the Buena Vista Road; thence eastwardly along the north (left) side of the Buena Vista Road to its junction with the Moore Creek Road; thence

northwardly along the west (left) side of the Moore Creek Road to its junction with the Rollen Mill Road; thence westwardly along the south (left) side of the Rollen Mill Road to its junction with the Roberts Road; thence northwardly along the west side of the Moore Creek Road to its junction with Rollen Mill Road; thence westwardly along the South (left) side of the Rollen Mill Road to its junction with the 15th and 16th Civil District line; thence northwestwardly along the 15th and 16th Civil District line to their junction with the 11th Civil District line; thence northwardly along the 11th and 16th Civil District line to the Old U.S. Highway 70; thence westwardly with the 11th and 16th Civil District line to U.S. Rt. 70; thence eastwardly with the 16th and 23rd Civil District line to a point where said line turns north; thence continuing with the 16th and 23rd Civil District line in a northeastwardly direction to a point of intersection of the 17th Civil District; thence northwardly along the 17th and 23rd Civil District to their junction with the 10th Civil District line; thence continuing northwardly along the boundary between the Tenth and Seventeenth Civil Districts to the Henry County Line; thence westwardly along the Henry-Carroll County Line to the point of beginning.

As amended by: Private Acts of 1957, Chapter 286
Private Acts of 1978, Chapter 255
Private Acts of 1982, Chapter 193

SECTION 2. That the officers of the said Huntingdon Special School District shall consist of a Board of six members, who, and their successors, shall constitute a body politic and corporate, the majority of whom shall make a quorum for the transaction of business. The first Board shall consist of Neill Wright, S. V. Porter, A. E. Hall, G. W. Parish, E. C. Freeman, and C. M. Watson, each of whom shall be freeholders and having resided for more than one year within the above said boundaries. All vacancies that may occur in this body shall be filled by the Board, such party to serve only until the next regular election thereafter when the qualified voters shall elect his successor, no one being eligible except those who are twenty-five years or more of age and are both freeholders and householders within said boundaries and of good moral character and having at least an elementary school education. Said Board shall organize by electing a President, Secretary and Treasurer, all of whom shall be members of this Board.

SECTION 3. That said Board herein created and their successors in office shall constitute, and are hereby declared the Board of Directors of the Huntingdon Special School District, and by that name may sue and be sued, plead and impleaded, and have continual succession for the purpose hereinafter designated; may have a common seal and make such by-laws and regulations from time to time as they may deem proper herein and as is consistent with the authority herein conferred and the laws of the State of Tennessee for the purpose of carrying into effect the object for which they are created.

SECTION 4. That the officers of said Special School District shall serve a term of six (6) years and until their successors are elected and qualified, two of whom shall be elected every two years on the First Thursday in August in each even year, in an election to be held by the Commissioners of Election for Carroll County, Tennessee, by the qualified voters residing in the said Huntingdon Special School District; provided, the officers now serving shall serve as follows: Warren Carter and Robert L. Dilday until the First Thursday in August, 1952, and until their successors shall be elected and qualified, D. D. Ragland and M. F. Priest, Jr., until the First Thursday in August, 1954 and until their successors shall be elected and qualified, and Frank Taylor and J. Leon Chandler until the First Thursday in August, 1956 and until their successors shall be elected and qualified.

As amended by: Private Acts of 1951, Chapter 692
Private Acts of 1961, Chapter 228

COMPILER'S NOTE: The 1961 amendment amended the 1951 amendment to provide that the election for school board members be held on the first Thursday in August rather than the last Tuesday in September.

SECTION 5. That the powers and duties of said Board of Directors are as above and hereinafter set out to-wit:

- (1) To establish and maintain a public school at Huntingdon, in said district, wherein shall be taught all branches required to be taught in both elementary and high schools of the State, and in which may be established whatever assessor department or departments which may be necessary, in the judgment of the Board, to meet the demands of the patrons.
- (2) To employ competent teachers and as many as they see proper for said school or schools, fix their salaries, and for lawful reasons discharge them.
- (3) To open and close the school or schools and determine the length of term thereof.
- (4) To buy, build and keep in repair school buildings, out buildings and grounds, and any other school buildings or school property that may be included in said Special School District, or that said Board may see fit to erect, buy, and maintain.
- (5) To suspend and dismiss pupils when the occasion and efficiency of said school or schools

demand it.

(6) To use the school funds coming into their hands from whatever source in such a manner as will in their judgment and discretion best promote the interest of said Special School District.

(7) To order and have taken a census of the children within said district according to the school laws of the State of Tennessee, and report same, properly certified, to the County Superintendent of Public Instruction and to the County Trustee of Carroll County, Tennessee, as soon as practicable after the taking effect of this Act.

(8) To hold regular meetings at the time and place prescribed by them, and special meetings when called by the President, or by any three of the Board of Directors, four members being necessary to constitute a quorum of said Board.

(9) To provide and arrange means of transportation for the children living remote from the school building or buildings within said Special School District, and pay for the same out of any school funds that may come into their hands.

(10) To have full power to lay out and designate the routes and roads over which the means of transportation herein provided for shall pass, and the time thereof, and said transportation shall be to and from the school building or buildings within said Special School District daily while the school or schools are in session.

(11) To have full power and authority to adopt any rules or by-laws that may be necessary for the management, maintenance and conduct of said school or schools which are not inconsistent with this Act or the general laws of the State; and they may require the payment of reasonable incidental fees to be paid by students of the high school provided for in this Act that may be necessary for the management, maintenance and conduct of said school as a high school and may do and perform any and all other acts that may be necessary and proper to carry into effect, and to accomplish the purposes and intentions of this Act.

(12) Said Board of Directors of said Special School District shall meet in the school building in the Town of Huntingdon, Tennessee, on the third Thursday in each month, at which time, except during the summer months, when school is not in session, the entire faculty shall meet with said Board, and all matters pertaining to said school shall be fully discussed, an inspection made of the premises, and all matters relating to the operation of said school district necessary to be handled shall be handled and a full, [sic] and complete record of the meetings of said Board shall be kept.

(13) Should any member of the Board of Directors absent himself or herself from any regular meeting for as many as three successive meetings, such member shall be deemed to [sic] have vacated the office of a member of the Board of Directors of said Special School District. The remaining members of said School Board shall elect new members to fill said vacancy until the next regular election.

As amended by: Private Acts of 1945, Chapter 145

SECTION 6. That after making the report of the school census as provided by Sub-section 7 of Section 5 of this Act, the County Trustee shall apportion to the said Special School District for the maintenance of said school or schools, its per capita or prorata share of all school funds of the county then or thereafter in his hands according to the proportion which the school population of said Special School District shall bear to that of Carroll County under the school census of 1919, and upon the same basis the County Trustee shall also apportion to said Special School District its per capita or prorata share of the State school fund paid to said county by the State. Such school census shall be taken annually and upon it the funds shall be thus apportioned each year thereafter.

SECTION 7. That for the purpose of supporting and maintaining the school or schools of the said Special School District and for supplementing the school funds for said Districts [sic] so that school terms for said school or schools may be extended and continued nine months each year, if possible, as a free public school, there is hereby assessed for the year 1987 and for each year thereafter a tax limit of three dollars (\$3.00) on every one dollar's (\$100.00) worth of taxable property, both real and personal, situated within the said Huntingdon Special School District for general operation of schools. The basis of assessment of said tax on such property shall be the assessed value as shown by the books of the County Trustee, and all taxes assessed on real estate are a lien upon such real estate. The taxes herein assessed shall become due and be collected at the same time and in the same manner as taxes under the general laws of the State by the County Trustee. The said taxes herein provided for, together with all other school funds received from the County Trustee, shall constitute the school funds for the said Special School District, which funds shall be under the control of said Board of School Directors for the use and benefit of the said Board of Directors [sic] for the use and benefit of said Huntingdon Special School District. No part of said fund shall be paid by the Treasurer of said Special School District except by order of said Board of School

Directors and upon warrants properly drawn and signed by the President and Secretary of the said Board of School Directors; provided further, that no personal property of the taxpayers within the said Special School District shall be exempt from levy or execution for their said tax assessments on personalty herein assessed by this Act; and provided that the County Tax Assessor shall prepare a separate complete list of all taxable property, both real and personal, within said School District for the use of the County Trustee in making collection of said taxes. The tax of twelve and one-half mills hereinabove in this Section levied may, to the extent of four mills, be pledged to and used by the Board of School Directors for the payment of bonds and or capital outlay notes of said District issued pursuant to authority for the purposes of constructing, improving and equipping school buildings and additions thereto for said District or purchasing sites in connection therewith. To the extent that said tax is so pledged the proceeds thereof shall be deposited in a fund or funds for the payment of said bonds in accordance with the provisions of the authorizing resolution.

COMPILER'S NOTE: This section was amended in 1987 to change the tax rate set out at the beginning of the paragraph above to not more than \$3 per \$100 property value, but the language at the end of the paragraph referring to the old tax rate of "twelve and one-half mills" was not changed.

The Board of School Directors of the Huntingdon Special School District shall have the authority to set the tax rate lower than that imposed by this Act as amended or any other Act setting a tax rate for the Huntingdon Special School District but shall not have the power to impose a tax in excess of any statutory levy. In order to change the rate of taxation, the Board shall certify on or before September 1 to the county trustee the new special school district tax rate not to exceed the rate imposed by any legislative Act, and the county trustee shall collect only the taxes based on the rates so certified.

As amended by:

Private Acts of 1949, Chapter 712
 Private Acts of 1951, Chapter 697
 Private Acts of 1959, Chapter 241
 Private Acts of 1967-68, Chapter 244
 Private Acts of 1975, Chapter 143
 Private Acts of 1987, Chapter 12

SECTION 8. That all the children living within the boundaries of the said Huntingdon Special School District shall be entitled to the benefit of the funds arising from the provisions of this Act, and are to be entitled to free tuition in the school or schools operated by said Board of Directors as aforesaid; provided, this shall apply to such children as are between the ages of six and twenty-one years of age. The Board of School Directors for said Special School District shall have power to admit by contract persons over school age or non-residents of the district or county or State upon the payment of such reasonable rates of tuition and under such regulations as the said Board of Directors may prescribe for persons not entitled to admission in the said school or school free of charge. All tuitions shall be paid to the Treasurer of said Board of Directors for the use and benefit of the said Special School District and shall be paid out as other funds collected and received by said School District.

SECTION 9. That the said Board of Directors shall, within ten days after this Act takes effect, meet and elect a President, Secretary and Treasurer. The members of said Board of School Directors shall serve without compensation, except that the Secretary may be allowed and receive lawful compensation for taking the census of the scholastic population of said Special School District or for having the same done each year.

The Secretary of said Board shall keep a true and correct record of all the meetings and business transacted by said Board in a minute book to be provided for such purpose and the Treasurer shall keep a true and correct account of all funds coming into his hands and of all disbursements. The Treasurer shall enter into bond sufficient to cover the school funds belonging to the said Huntingdon Special School District, which shall be fixed by the said Board of Directors, and shall be payable to the State of Tennessee, for the use and benefit of said Special School District and it shall be approved by the President of said Board and filed with the Secretary thereof.

SECTION 10. That said Board shall not employ any Superintendent or principal of the school or schools herein created, who has not had the equivalent of a college education, and shall not employ any teacher or teachers in the high school or elementary department who have not the requisite qualifications for the department in which employed as prescribed by the regulations of the State Board of Education.

SECTION 11. That all laws and parts of laws in conflict with this Act are hereby repealed and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 28, 1919.

Private Acts of 1957 Chapter 286

COMPILER'S NOTE: This act amended Section 1 of Private Acts of 1919, Chapter 374, but the act also contained additional provisions affecting Huntingdon Special School District. Accordingly, this act must be read in conjunction with Private Acts of 1919, Chapter 374 (reproduced herein).

SECTION 1. That Chapter 374 of the Private Acts of the General Assembly of the State of Tennessee for the year 1919, be amended by striking out all of that portion of Section 1 after the word "embracing" in line 4, and substituting in lieu thereof the following:

"[The language which appeared between the quotation marks amended Section 1 of Private Acts of 1919, Chapter 374, replacing the boundary description for the school district. This language, as amended by Private Acts of 1978, Chapter 255, and Private Acts of 1982, Chapter 193, is reproduced in Section 1 of the 1919 act, which appears in this compilation immediately preceding this act.]"

The aforementioned and described boundaries include and to be excluded from this School District is a tract of land owned by the Carroll County Board of Education on which is located Hale School, situated in the Eleventh Civil District of Carroll County, Tennessee, and described in two lots as follows:

Parcel No. 1: Beginning at a stake in the northeast corner of the present lot of the Carroll County Board of Education in the Town of Huntingdon and in the west line of Bill McDonald [sic] land, runs thence north 22 degrees 45 minutes west 300 feet to a stake, the same being the southeast corner of the Hampton lot, thence south 70 degrees west 766 feet to a stake in the east line of the Esch lot: thence south degrees 30 minutes east 338 feet to a stake in the north line of Ben Higins [sic] lot; thence north 67 degrees east 739 feet to the point of beginning and containing 5.741 acres by calculation. Recorded in Deed Book 110, page 49.

Parcel No. 2: Known as Lot No. 18 in the Bryant addition to the Town of Huntingdon, Tennessee, and bounded and described as follows: Beginning at the southeast corner of Lot No. 17 and runs north 65 degrees east 21 poles and 10 links to a stake on Rogers Greers [sic] line, thence north with said line 11 poles and 20 links to the southeast corner of Lot No. 19, thence south 65 degrees west 21 poles and 10 links to the northeast corner of Lot No. 17; thence south 30 degrees east 11 poles and 20 links to the beginning, containing about one-half acres, more or less. Recorded in Deed Book 96, page 126.

As amended by: Private Acts of 1982, Chapter 194

COMPILER'S NOTE: The 1957 act also excluded the Cannon's School property from the Huntingdon Special School District, but Private Acts of 1982, Chapter 194, deleted the exclusion.

SECTION 2. That for the purpose of holding elections in said Special School District there are hereby created voting precincts in each respective civil district within the Huntingdon Special School District. There shall be voting precincts at the Court House and at the School House for the voters of the 11th Civil District, and voting precincts at the regular voting places for the voters of the 8th, 10th, 12th, 19th and 23rd Civil Districts, and the voters of each Civil District within said School District shall vote at the regular precinct where they live and are qualified to vote in regular elections. All elections for the Huntingdon Special School District of whatever nature shall be held under the supervision of the Board of Election Commissioners for Carroll County, Tennessee, upon proper petition of the Board Members of the Huntingdon Special School District. The qualification of voters shall be that provided by law for participation in general elections, and all laws applicable to general elections shall apply.

As amended by: Private Acts of 1959, Chapter 126

SECTION 3. That this Act shall have no effect unless the same shall have been approved by a majority of the voters residing in the area to be embraced within said Special School District in an election to be held for such purposes. It shall be the duty of the Board of Election Commissioners of Carroll County, Tennessee, after final legislative action upon this Act, to call an election to be held on the second Thursday in September, 1957, at the two voting precincts provided for in this Act. Not less than thirty (30) days notice shall be given by said Election Commissioners of said election. Ballots used in said election shall have printed thereon the title or substance of this Act, and the voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the Board of Election Commissioners upon the first Monday occurring five (5) days or more next after the date of such election and the results shall be proclaimed by such Board and certified to the Secretary of State. The qualification of voters shall be that as provided by Section 2 of this Act.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 20, 1957.

COMPILER'S NOTE: This act was held constitutional in Perritt v. Carter, 325 S.W.2d 233 (Tenn. 1959). The establishment of voting places in Section 2 was held constitutional because there is no general law governing elections for special school districts. The referendum provision in Section 3 was elided as surplusage after the Court held that special school districts do not fall within the Home Rule Amendment to the Tennessee Constitution.

Bonds

Private Acts of 1977 Chapter 16

SECTION 1. Huntingdon Special School District in Carroll County, Tennessee, as created by Chapter 374 of the 1919 Private Acts of Tennessee, is hereby authorized from time to time to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of not exceeding two million five hundred thousand dollars (\$2,500,000.) for the purpose of constructing, repairing, improving and equipping school buildings and additions thereto for the school district, and acquiring all property, real and personal, appurtenant thereto or connected with such work. These bonds shall bear interest at such rate or rates not exceeding seven per cent (7%) per annum, payable annually or semiannually, shall mature serially or otherwise in not exceeding thirty (30) years after date thereof, and shall be subject to such terms of redemption, with or without premium, as may be provided by resolution of the board of directors of the school district. The bonds shall be in such form and of such denominations and shall be sold in such manner as the board of directors may provide by resolution, but in no event shall such bonds be sold for less than par and accrued interest. The board of directors is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of these bonds. The bonds shall be signed by the president of the board of directors with his manual or facsimile signature and attested by the secretary of the board with his manual signature, and the coupons attached thereto shall be signed by the facsimile signatures of both officials.

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 annual tax of one dollar and ninety-five cents (\$1.95) on each one hundred dollars (\$100) worth of taxable property in Huntingdon Special School District, beginning with the year 1977 and continuing until these 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 Carroll 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 the 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 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. The bonds herein authorized shall not be issued until the issuance thereof has been ordered by a majority of the registered voters of the district voting at an election called for such purpose by the county election commission of Carroll County pursuant to the request of the board of directors of the district. Such election shall be held in the same manner and by the same officials as general elections are required to be held in Carroll County and notice thereof shall be given in the manner required by Tennessee Code Annotated, Title 2, for elections held on questions in Carroll County. At such election the proposition being submitted to the registered voters of the district shall appear in the form of a question and shall briefly state the maximum amount of bonds to be issued and the purpose of which such bonds are to be issued and shall be followed by the words "Yes" and "No" so that a voter can vote his preference by making a cross mark (X) opposite the proper word. The county election commission of Carroll County shall canvass the returns of such election and determine and declare in writing the results thereof. Such declaration shall constitute conclusive evidence of the results of the election.

SECTION 5. 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 applications thereof to persons or circumstances other than those to which it is held to be invalid shall not be affected thereby.

SECTION 6. All laws or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 7. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 23, 1977.

Notes

Private Acts of 1929 Chapter 33

SECTION 1. That the Huntingdon Special School District, created by Chapter 374, Private Acts of 1919 of the General Assembly of the State of Tennessee, and located in Carroll County, Tennessee, be and the same is hereby authorized, by the through its Board of Directors, to borrow money for the use and benefit of said Special School District, and to issue interest bearing note, notes, warrant or warrants, and to pledge the credit of said Huntingdon Special School District to secure the payment of said note, notes, warrant or warrants, but in no event shall they borrow more than Twenty Thousand Dollars (\$20,000.00) at any one time.

SECTION 2. That said note, notes, warrant or warrants so issued by said Board of Directors of said Huntingdon Special School District shall be an irrevocable evidence of the liability of said Special School District. And the credit of said Huntingdon Special School District shall be by the act of borrowing said money and the issuance of said note, notes, warrant or warrants pledged for the payment of said amount so borrowed under this Act.

SECTION 3. That said money, when borrowed, shall be used without any deductions therefrom for any purpose by said Board of Directors to pay the debts and operating expenses of said Huntingdon Special School District and used as a supplementary fund to the general school funds of said District, and said money, when borrowed, shall be paid out of the taxes assessed for the benefit of said Special School District under Chapter 374, Private Acts of 1919, or any other funds that may come into their hands as such Board of Directors.

SECTION 4. That all laws and parts of laws in conflict with this Act are hereby repealed.

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

Passed: January 24, 1929.

McKenzie High School

Private Acts of 1917 Chapter 533

SECTION 1. That a Special School District be and the same is hereby created and established, embracing All [sic] of the Ninth, Fourth and Twenty-Second Civil Districts of Carroll County, Tennessee, and including all of the City of McKenzie lying in Carroll County, Tennessee to be known and designated as the "McKenzie Special School District;" with the following boundaries:

Beginning at a point where the boundary lines of Carroll and Henry Counties meet the boundary lines of the Ninth and Tenth Civil Districts of Carroll County, running thence southwardly along the aforesaid boundary line of the Ninth and Tenth Civil Districts of Carroll County to a point where this line meets the Northwest corner of the Twenty-Third Civil District; thence Southwestwardly along the boundary between the Ninth and Eleventh Civil Districts to their intersection with Crooked Creek; thence following the south bank of Crooked Creek to its junction with the south for of the Obion River (Beaver Creek Drainage Canal); thence following the southwest bank of the Obion River (Beaver Creek Drainage Canal) in a northwestwardly direction to a point where the Third, Second, and Twenty-Second Civil Districts of Carroll County corner; thence north along the boundary line of the Third and Twenty-Second Civil Districts of Carroll County to a point where this line meets the boundary between Carroll and Weakley Counties; thence Eastwardly along the boundary line between Carroll and Weakley Counties to a point the Southeast corner of Weakley County; thence north with the Boundary line between Carroll and Weakley Counties to a point where the boundaries of Carroll, Weakley and Henry Counties corner; thence eastwardly along the boundary line between Carroll and Henry Counties to a point where the Ninth and Tenth Civil Districts of Carroll County corner, the point of beginning.

As amended by: Private Acts of 1959, Chapter 191
Private Acts of 1998, Chapter 136
Private Acts of 1999, Chapter 31

SECTION 2. That the officers of the McKenzie Special School District shall consist of a Board of Education composed of seven (7) members, all of whom shall be residents of the district, who, with their successors in office, shall constitute a body politic and corporate, a majority of whom shall constitute a quorum for the transaction of business. Effective with the elections to be held in August, 2000, the term of each member of the Board shall be for a period of four (4) years and until their successors are elected and qualified.

As amended by: Private Acts of 1999, Chapter 31.

SECTION 3. That members of the "The Board of Education of the McKenzie Special School District" are to be elected by the qualified voters residing within said district and such elections are to take place on the regular election day in August of such years as vacancies occur.

Said elections are to be called in due form and manner as all elections held in said county, by the duly qualified Election Commissioners or those in authority to call and regulate State and county elections in Tennessee, when the Board of Education of "The McKenzie Special School District," shall certify to said Board of Election Commissioners the necessity for the holding of such election. Vacancies occurring in said Board of Education by death, removal or resignation, shall be filled by the remaining members of said Board until the next regular election, when the qualified voters of the district herein created will elect to fill such vacancy or vacancies. Said Board of Education shall organize by the election of a President, Secretary and Treasurer, all of whom shall be members of said Board.

As amended by: Private Acts of 1998, Chapter 136
Private Acts of 1999, Chapter 31

SECTION 4. That the said Board of Education herein created and their successors in office shall constitute and are hereby declared the Board of Education of "The McKenzie Special School District" and by that name may sue and be sued, plead and be impleaded and have continual succession for the purposes hereinafter designated; may have a common seal and make such by-laws and regulations as they may deem proper herein and as is consistent with the authority herein conferred by the laws of the State of Tennessee, for the purpose of carrying into effect the object for which they are hereby created.

As amended by: Private Acts of 1988, Chapter 136
Private Acts of 1999, Chapter 31

SECTION 5. That the powers and duties of said Board of Education are as above and hereinafter set out to-wit:

- (1) To establish and maintain a High School or Schools at McKenzie, in said district, wherein may be taught all branches now or hereafter required by Elementary and High School [sic] of the State, and in each may be taught a Commercial or Business Course, Agriculture, Home Economics, also a course preparatory to University work and other courses that said Board of Education may desire.
- (2) To employ competent teachers and as many as they see proper for said school or schools, fix their salaries and have power to discharge them.
- (3) To open and close the school or schools and determine the length thereof.
- (4) To build and keep in repair school buildings, out-buildings and grounds, and any other buildings, repairs or property that may be included in said district herein created, or that said Board may see fit to erect, take over and maintain.
- (5) To suspend and dismiss pupils when the occasion and efficiency of said school or schools demand it.
- (6) To use the school funds coming into their hands from whatever source, in such manner as will in their judgment and discretion, best promote the interest of said "McKenzie Special School District."
- (7) To order and have taken a census of the children within said district, according to the school laws of the State of Tennessee and report same, properly certified to the County Superintendent of Public Instruction and County Trustee of Carroll County, Tennessee, as soon as deemed necessary, after the taking effect of this Act.
- (8) To hold regular meetings at the time and place designated by them, and special meetings when called by the President or any one member of said Board of Education, four members of said Board to constitute a quorum for the transaction of business.
- (9) To take over and hold in trust, any school property real and personal, if in the bounds of said district herein created and to dispose of same, the real estate by deed and the personal property by either public or private sale, as they may deem best, and to apply the proceeds for the benefit of the said district herein created.
- (10) Said Board of Education shall have the authority to cause to be made, at least once each year, a published statement of all revenues coming into their hands and expenditures made and for what purposes, said statement to be approved by a majority of said Board before publication.
- (11) The Board of Education shall also have the power to borrow money against the credit of the McKenzie Special School District as created by anticipated tax receipts and/or state receipts for capital outlay purposes.

As amended by: Private Acts of 1994, Chapter 175
Private Acts of 1998, Chapter 136
Private Acts of 1999, Chapter 31

SECTION 6. That after the making of the report of the school census, as provided for in Sub-section 7 of Section 5 of this Act, the County Trustee shall apportion to the said "McKenzie Special School District" for

the maintenance of said school or schools, its per capita or prorata share of all school funds of the county then or thereafter in his hands, according to said census of 1917 of said McKenzie Special School District which it bears to that of Carroll County and the County Trustee shall also apportion to said district herein created, its per capita or prorata share of the State school fund paid to said county by the State for year 1917 and each subsequent year thereafter. Said census are to be taken annually and the funds thus apportioned each year thereafter as herein provided by this Act.

As amended by: Private Acts of 1998, Chapter 136,
Private Acts of 1999, Chapter 31.

SECTION 7. That for the purpose of supporting and maintaining the school or schools of the said "McKenzie Special School District," and for supplementing the school funds of the District herein created, so that school terms may be extended and continued nine months of each year, if possible, as a free public school or schools, there is hereby assessed for the year 1967, and for each subsequent year thereafter, a tax of two dollars (\$2.00) on every one hundred dollars (\$100.00) worth of taxable property, both real and personal, situated and being within the said "McKenzie Special School District". The basis of assessment for said tax on such property shall be the assessed valuation as shown by the books of the County Trustee and all taxes assessed upon real estate are a lien upon said real estate. The taxes herein assessed shall become due and be collected at the same time and in the same manner as taxes under the general laws of the State of Tennessee, by the County Trustee. The said taxes herein provided for together with all other school funds received from the County Trustee shall constitute the school fund for the said "McKenzie Special School District," which funds shall be under the control of said Board of Education for the use and benefit of the said "McKenzie Special School District." No part of said funds shall be paid out by the Treasurer of said Board of Education except upon warrants properly drawn and signed by the President and Secretary of said Board. No personal property of the taxpayers within the District that is hereby created, shall be exempt from levy or execution for their said tax assessments on personalty herein assessed by this Act. The County Tax Assessor shall prepare a separate and complete list of all taxable property, both real and personal within said District for the use of the County Trustee in making collections of said taxes.

The Board of Education of "McKenzie Special School District" shall have the authority to set the tax rate lower than that imposed by this act as amended or any other act setting a tax rate for "The McKenzie Special School District" but shall not have the power to impose a tax in excess of any statutory levy nor shall it have the power to lower any special levy assessed for the purpose of bond repayment. In order to change the rate of taxation, the Board must certify on or before September 1 to the county trustee the new special school district tax rate not to exceed the rate imposed by any legislative act, and the county trustee shall collect only the taxes based on the rates so certified.

As amended by: Private Acts of 1945, Chapter 51
Private Acts of 1949, Chapter 913
Private Acts of 1967-68, Chapter 264
Private Acts of 1975, Chapter 166
Private Acts of 1981, Chapter 143
Private Acts of 1987, Chapter 93
Private Acts of 1998, Chapter 136
Private Acts of 1999, Chapter 31
Private Acts of 2001, Chapter 47
Private Acts of 2002, Chapter 157

SECTION 8. That all the children living within the boundaries of the said "McKenzie Special School 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 the said Board of Education as aforesaid; *provided* this shall apply to such children as are between the ages of 6 and 21 years of age; but no tuition shall be charged for any course of study as is taught in the free public schools of the State of Tennessee, as designated as being in or of the Elementary or High School courses.

The Board of Education of "The McKenzie Special School District" shall have power to admit by contract persons over school age or non-residents of the within district, county or State, upon the payment of such reasonable rates of tuition and under such rules and regulations as said Board may prescribe for persons not entitled to admission in the said school or schools free of charge. Funds arising from such tuition shall be paid out as other funds collected and received by said "McKenzie Special School District."

As amended by: Private Acts of 1998, Chapter 136
Private Acts of 1999, Chapter 31

SECTION 9. That the said Board of Education shall within ten days after this Act takes effect, meet and elect a President, Secretary and Treasurer. The members of said Board of Education are to serve without compensation, except that the Secretary may be allowed and receive lawful compensation for taking the census of scholastic population of said district or for having it done each year. The Secretary shall keep a

true and correct record of all business transacted in a well bound minute book to be provided for such purpose. The Treasurer shall keep a true and correct record of all funds coming into his hands and the disbursement of the same. The Treasurer shall execute bond sufficient to cover the school funds belonging to the said "McKenzie Special School District," which amount shall be fixed by the said Board of Education and said bond shall be payable to the State of Tennessee for the use and benefit of the said "McKenzie Special School District," said bond shall be approved by said Board of Education and filed with the Secretary thereof.

As amended by:

Private Acts of 1998, Chapter 136

Private Acts of 1999, Chapter 31

SECTION 10. That any person employed by said Board of Education, as principal shall have general superintendency over all schools in operation under control of said Board of Education, with special reference to the grading and promotion of the pupils thereof.

SECTION 11. That if any section, sub-section or clause in this Act be declared unconstitutional and invalid, that same will not affect or alter any other part or parts of this Act not so declared from their full operation and the carrying out of the intents of such part or parts of this Act as are constitutional.

SECTION 12. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 5, 1917.

Private Acts of 2005 Chapter 67

SECTION 1. Chapter 157 of the Private Acts of 2002 levied the tax on property within the McKenzie Special School District at a rate of two dollars (\$2.00) on every one hundred dollars (\$100). As a result of the 2003 general reappraisal of property in Carroll County, a certified tax rate, which is the present rate for the McKenzie Special School District, was set pursuant to Tennessee Code Annotated, Section 67-5-1704, at one dollar and fifty-three cents (\$1.53) on every one hundred dollars (\$100). It is the intent of this act, pursuant to the request of the McKenzie Board of Education, that the tax rate for the special school district be increased from the present rate of one dollar and fifty-three cents (\$1.53) on every one hundred dollars (\$100) to two dollars (\$2.00) on every one hundred dollars (\$100).

SECTION 2. Chapter 533 of the Private Acts of 1917, as amended by Chapter 51 of the Private Acts of 1945, Chapter 913 of the Private Acts of 1949, Chapter 201 of the Private Acts of 1959, Chapter 264 of the Private Acts of 1967, Chapter 166 of the Private Acts of 1975, Chapter 143 of the Private Acts of 1981, Chapter 93 of the Private Acts of 1987, Chapter 47 of the Private Acts of 2001, and Chapter 157 of the Private Acts of 2002, and any other acts amendatory thereto, is further amended in Section 7 by deleting the words and figures "two dollars (\$2.00) on every one hundred dollars (\$100)" and substituting instead the words and figures "two dollars (\$2.00) on every one hundred dollars (\$100)", it being the legislative intent that by such action the tax rate of the McKenzie Special School District shall be increased to two dollars (\$2.00) on every one hundred dollars (\$100).

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

Passed: May 27, 2005.

Notes & Bonds

Private Acts of 1963 Chapter 220

SECTION 1. That the McKenzie High School District in Carroll County, Tennessee, as created by and under Chapter 533 of the Private Acts of Tennessee for 1917, is hereby authorized to borrow money and issue its negotiable coupon bonds therefor in the aggregate principal amount of not exceeding Two Hundred Fifty Thousand (\$250,000) Dollars for the purpose of constructing, improving and equipping school buildings and school grounds, in and for said School District, together with the purchase of necessary sites in connection therewith. Said bonds shall bear interest at a rate of not exceeding six per cent (6%) per annum, payable semiannually, and shall mature serially or otherwise in not exceeding thirty (30) years from the date thereof, and may be subject to such terms of redemption with or without premium, all as may be provided by resolution of the Board of Education of said School District. Said bonds shall be in such form and of such denominations and may be sold in whole or in part from time to time in such manner as the Board of Education of said School District may provide by resolution but in no event shall such bonds be sold for less than the par value thereof. Said Board of Education is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the

issuance and sale of said bonds.

SECTION 2. That said bonds shall be signed by the President of the Board of Education of said District and countersigned by the Secretary of said Board and the coupons attached to said bonds shall be executed by the facsimile signatures of said officials. The proceeds derived from the sale of said bonds shall be turned over to the Treasurer of said School District and placed in a separate fund and shall be used only for the purposes as hereinbefore recited. The purchaser of said bonds shall not be required to look to the proper application of said proceeds.

SECTION 3. That for the purpose of paying the principal of and the interest on the bonds herein authorized, there is hereby levied a continuing annual tax of eighty cents (80¢) on each One Hundred (\$100.00) Dollars of taxable property in The McKenzie High School District, beginning with the year 1963 and continuing until said bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the County [sic] officials of Carroll 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 said taxes, as collected, shall be placed in a separate and special fund and shall be used solely for the purpose of paying principal of, interest on and redemption premiums on the school bonds herein authorized.

SECTION 4. That the bonds herein authorized and the interest thereon shall be exempt from all state, county and municipal taxation in the State of Tennessee except inheritance, transfer and estate taxes.

SECTION 5. That the bonds herein authorized shall not be issued until the issuance thereof has been ordered by a majority of the qualified voters of said district voting in an election called for such purpose by the election commissioners of Carroll County pursuant to the request of the Board of Education of said District. Such election shall be held in the same manner and by the same officials as general elections are required to be held in Carroll County and notice thereof shall be given at least twenty (20) days prior to the date of said election by publication of an appropriate notice not less than one time in a newspaper of general circulation in such District. At such election the ballot shall state briefly the maximum amount of bonds to be authorized and the purpose for which such bonds are to be authorized and shall contain the words "for the issuance of bonds" and "against the issuance of bonds". The election commissioners of Carroll County shall canvass the returns of such election and determine and declare in writing the results thereof. Such declaration shall constitute conclusive evidence of the results of said election.

SECTION 6. That the powers conferred by this Act shall be in addition and supplementary to the powers conferred by any other law and are not in substitution for the powers conferred by any other law. Bonds may be issued hereunder notwithstanding that any other law may provide for the issuance of bonds for like purposes and without regard to the requirements, restrictions or procedural provisions contained in any other law.

SECTION 7. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 14, 1963.

Private Acts of 1970 Chapter 231

SECTION 1. The McKenzie High School District in Carroll County created by Chapter 533 of the Private Acts of 1917, is authorized to borrow from time to time, not exceeding Seventy-Five Thousand Dollars (\$75,000), for the purpose of operating its school system and which funds may also be used for the purpose of constructing, improving and equipping school buildings and school grounds, including the purchase of lands, and issue its interest bearing notes as evidence of said debt.

SECTION 2. The note or notes evidencing the debt herein authorized, may be negotiated by the McKenzie High School District at such time or times and in such manner or manners as may be determined by the governing body of the District. However, the notes shall not be discounted and shall not bear interest exceeding the current prime rate of the Chase Manhattan Bank in New York City, New York.

SECTION 3. Any note or notes issued hereunder may be issued by resolution of the McKenzie High School District Board of Education, a majority voting in favor thereof, in a special or regular meeting, and any resolutions authorizing the borrowing of money and the issuing of a note or notes under this Act shall provide that such note or notes shall contain a recital that the funds are borrowed and notes are issued pursuant to this Act, which recitals shall be conclusive evidence of their validity and the legality of their issuance.

SECTION 4. The note or notes herein authorized shall be signed on behalf of the McKenzie High School District, by its Chairman and Secretary.

SECTION 5. The note or notes issued pursuant to the provisions of this Act shall not be subject to taxation by the State or any political subdivision thereof.

SECTION 6. The McKenzie High School District shall set apart in a separate fund so much as necessary of the One Dollar and Thirty Cents (\$1.30) tax on every One Hundred Dollars (\$100) worth of taxable property, both real and personal, situated within the McKenzie High School District, authorized by Chapter 533 of the Private Acts of 1917, as amended by Chapter 264 of the Private Acts of 1967, to pay principal and interest while the indebtedness herein authorized or any part thereof, is outstanding.

SECTION 7. The McKenzie High School District is authorized to use any surpluses existing or hereafter accruing by virtue of the levy authorized by Chapter 195 of the Private Acts of 1953 and the levy authorized by Chapter 220 of the Private Acts of 1963 in the retirement of any indebtedness created under this Act.

SECTION 8. 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 intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

SECTION 9. This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: February 10, 1970.

Private Acts of 1973 Chapter 107

SECTION 1. McKenzie High School District in Carroll County, Tennessee, created by Chapter 533 of the 1917 Private Acts of Tennessee, is hereby authorized to borrow money and to issue its negotiable bonds therefor in the aggregate principal amount of not exceeding \$1,500,000 for the purpose of constructing, improving and equipping school buildings and additions thereto for said school district, together with the purchase of necessary sites in connection therewith. Said bonds shall bear interest at a rate or rates not exceeding the legal rate of interest for written contracts, payable annually or semiannually, and shall mature serially or otherwise in not exceeding 30 years after date thereof as may be provided by resolution of the Board of Education of said school district. Said bonds shall be in such 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 Education may provide by resolution, but in no event shall such bonds be sold for less than par value, plus accrued interest. The Board of Education is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds. Said bonds shall be signed by the President of the Board of Education and attested by the Secretary of said board, and the coupons attached thereto shall be signed with the facsimile signatures of said officials.

SECTION 2. The bonds herein authorized shall not be issued until the issuance thereof has been approved by a majority of the qualified voters of said district voting in an election called for such purpose by the election commissioners of Carroll County pursuant to the request of the Board of Education of said district. Such election shall be held in the same manner and by the same officials as general elections are required to be held in Carroll County and notice thereof shall be given at least 20 days prior to the date of said election by publication of an appropriate notice one time in a newspaper of general circulation in said district. At such election the ballot shall state briefly the maximum amount of bonds to be issued and the purpose for which such bonds are to be issued and shall contain the words "for the issuance of bonds" and "against the issuance of bonds". The election commissioners of Carroll County shall canvass the returns of such election and determine and declare in writing the results thereof. Such declaration shall constitute conclusive evidence of the results of said election.

SECTION 3. For the purpose of paying the principal of and interest on the school bonds herein authorized there is hereby levied a continuing annual tax of \$1.50 on each \$100.00 worth of taxable property in said district, beginning with the year 1973 and continuing until said bonds shall have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the county officials of Carroll 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 county taxes. The proceeds of said 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 redemption premiums on the school bonds herein authorized. The provisions of Section 49-721, Tennessee Code Annotated, shall be applicable to taxes levied pursuant to this Act.

SECTION 4. The bonds herein authorized shall be exempt from all state, county and municipal taxation

in the State of Tennessee.

SECTION 5. If any 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.

SECTION 6. All laws or parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this act shall take effect from and after its passage, the public welfare requiring it.

Passed: May 1, 1973.

Private Acts of 1996 Chapter 179

SECTION 1. The McKenzie High School District, located in Carroll County, Tennessee (the "District"), created by Chapter 533 of the Private Acts of 1917, as amended by Chapter 185 of the Private Acts of 1921, Chapter 576 of the Private Acts of 1921, Chapter 51 of the Private Acts of 1945, Chapter 568 of the Private Acts of 1947, Chapter 913 of the Private Acts of 1949, Chapter 165 of the Private Acts of 1951, Chapter 191 of the Private Acts of 1959, Chapter 220 of the Private Acts of 1963, Chapter 262 of the Private Acts of 1967, Chapter 264 of the Private Acts of 1967, Chapter 229 of the Private Acts of 1970, Chapter 231 of the Private Acts of 1970, Chapter 107 of the Private Acts of 1973, Chapter 166 of the Private Acts of 1975, Chapter 143 of the Private Acts of 1981, and Chapter 93 of the Private Acts of 1987, 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 Education of the District, bonds in the aggregate principal amount of not to exceed ten million five hundred thousand dollars (\$10,500,000) 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 interests therein, necessary in connection with said work, (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 Education 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 Education. 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 Education, 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 Education 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 Education 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 Education authorizing the Bonds.

SECTION 4. So long as any of the Bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 107 of the Private Acts of 1973, as amended, shall continue to be levied at a rate which shall be hereby fixed at ninety-five cents (\$.95) per hundred dollars (\$100) of assessed value of real and personal property located within the District, effective as to said rate on January 1, 1996, for the 1996 tax year and each tax year thereafter. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Section 67-5-1704, Tennessee Code Annotated, 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 Education, the county assessor of property shall certify to the county trustee and the Board of Education of the District the total assessed value of taxable property within the District and furnish the county trustee and the Board of Education an estimate of the total assessed value of all new construction and improvements not included on 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 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 Section 67-5-1701(b), Tennessee Code Annotated, or any successor thereto. Said taxes shall be used exclusively to pay principal of and interest on the Bonds authorized herein and any other indebtedness of the District as they come due and to maintain debt service fund balances. The Board of Education is hereby authorized to pledge such taxes 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 Carroll 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. The proceeds of said taxes, when collected, shall be deposited to a debt service fund to be established and maintained by the District. The debt service fund is established for the specific purpose of receiving the taxes authorized herein and any other funds which may from time to time be pledged to the payment of indebtedness of the District. The debt service fund and the funds therein shall be maintained and accounted for until payment in full of all outstanding obligations of the District and shall be used for the purpose of paying principal of and premium, if any, and interest on the Bonds and any other indebtedness of the District. In the event 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 Education of the District, 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.

SECTION 5. The Board of Education is authorized to pledge to the payment of the Bonds 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 Section 49-3-351 et seq., Tennessee Code Annotated, and related sections, (b) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Carroll County, Tennessee, pursuant to Section 67-6-712, Tennessee Code Annotated, 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 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 Education, 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 Education, 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 of 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 Education. 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 Education. The Board of Education 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 Education shall deem necessary or desirable.

SECTION 9. 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 10. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 18, 1996.

Private Acts of 2022 Chapter 51

SECTION 1. The McKenzie Special School District (the "District"), created by Chapter 533 of the Private Acts of 1917, as amended (collectively with all amendatory acts, the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of Education (the "Board") of the District, bonds and/or notes in the aggregate principal amount of not to exceed four million dollars (\$4,000,000) 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 notes for the purpose of providing funds for (i) the acquisition of land and site preparation for and the construction, improvement, renovation, expansion, furnishing, 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 therewith, (ii) 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, (iii) the payment of interest on the bonds and notes 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 and notes. The maximum aggregate principal amount of school bonds authorized to be issued shall be limited to four million dollars (\$4,000,000). 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 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 any bond or note issued shall not exceed twenty-five (25) 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 which 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 the bonds 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. Bond anticipation notes shall also be payable from and secured by the proceeds of the bonds in anticipation of which they are issued. Notwithstanding anything herein to the contrary, bond anticipation notes may be issued in an amount not to exceed four million dollars (\$4,000,000) in addition to the issuance of not to exceed four million dollars (\$4,000,000) of school bonds, provided that such notes are to be retired by the bonds.

(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, and notwithstanding anything herein to the contrary, shall be in an amount necessary to refund such bonds or notes.

(e) The Board 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 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.

(f) 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.

(g) 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 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

and effect as due county taxes.

(h) 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 Section 49-3-351 et seq., Tennessee Code Annotated, and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Carroll County, Tennessee, pursuant to Section 67-6-712, Tennessee Code Annotated, 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.

(i) The bonds and notes and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except excise and franchise 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 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 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 3. The provisions of this Act are intended to supersede any contrary provisions of the Act of Incorporation heretofore adopted.

SECTION 4. 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 5. This act takes effect upon becoming a law, the public welfare requiring it.

Passed: April 28, 2022

Surplus Funds

Private Acts of 1970 Chapter 229

SECTION 1. The McKenzie High School District in Carroll County, created by Chapter 533 of the Private Acts of 1917, is authorized to use all surplus funds on hand arising as result of the tax levy authorized and levied pursuant to Chapter 195 of the Private Acts of 1953, and Chapter 220 of the Private Acts of 1963, and so much of the surplus arising hereafter not required for the redemption of the outstanding bonds and interest thereon as they serially mature.

SECTION 2. There is a need for the McKenzie High School District to construct, improve and equip school buildings to properly provide educational facilities in the District.

SECTION 3. It is declared to be in the public interest that such surplus funds be used as hereinabove authorized in view of the present cost of borrowing money.

SECTION 4. The powers conferred by this Act shall be in addition and supplementary to the powers conferred by any other law and are not in substitution of the powers conferred by any other law. Funds may be used as herein authorized without regard to the requirements, instructions or procedural provisions contained in any other law.

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

Passed: February 10, 1970.

South Carroll

Private Acts of 1955 Chapter 278

SECTION 1. That there is hereby created and established an independent and Special School District in Carroll County, in the State of Tennessee, out of territory included in the Thirteenth Civil District, the

Twenty-Fourth Civil District, and certain portions of the Sixth, Seventh, Twelfth and Fourteenth Civil District [sic] as now constituted, embracing the schools of Concord, Clarksburg, Westport and Yuma. The boundaries of the said Special School District so created and established shall be as follows:

Beginning at the point where the Carroll, Henderson, and Decatur County lines intersect; running thence Westwardly with the said Henderson and Carroll County boundary line to where the Sixth and Seventh Civil Districts line of Carroll County, Tennessee intersects the said Henderson and Carroll County boundary line; thence northwardly to where the said Sixth and Seventh Civil District line of Carroll County, Tennessee intersects Hickory Plains and Liberty Church Road; thence northwardly along said Sixth and Seventh Civil District line to Obion Creek; thence westwardly along B. Crum and Howley boundary line to the Northeast corner of Duncan line; thence Southwardly to James boundary line; thence westwardly to boundary line of Cook and Fry; thence southwardly to Joe Bishop boundary line; thence eastwardly with boundary line of McKnight and Dedman to said Sixth and Seventh Civil District line; thence northwardly with the said Sixth and Seventh District line to said Hickory Plains and Liberty Church Road; thence northwardly along center of Hickory Plains and Liberty Church Road to Hickory Plains Church; thence northwardly by said road to Jumbo; thence northwardly by said road to Liberty Church; thence eastwardly along said road to its intersection with the Purdy Road at Big Fork; thence northwardly along Purdy Road to Stanford and Bates boundary line, on the east side of said Purdy Road; thence eastwardly with said Stanford and Bates boundary line to Roark boundary line; thence northwardly with Roark and Stanford boundary line to the corner of Longmire and Davis; thence eastwardly with Roark and Davis; thence southwardly with Bates and Roark to gravel road; thence along said gravel road to Highway 22 at Red Top; thence northwardly along center of Highway 22 to its intersection with Hilliard Branch; thence northeastwardly down center of Hilliard Branch to its intersection with Beaver Creek; thence southeastwardly to the intersection of Beaver Creek with the Twenty-Fourth and Fifteenth Civil District line, the same being the intersection of Buck Ditch with said Beaver Creek; thence eastwardly along the Twenty-Fourth and Fifteenth Civil District line to the Northeast corner of the Twenty-Fourth Civil District, the same being the North-Southwestern corner of the Eighteenth Civil District; thence southwardly along Eighteenth and Twenty-Fourth Civil District line to its intersection by the Fourteenth and Eighteenth Civil District line; thence along the Fourteenth and Eighteenth Civil District line to its intersection with the Benton County line, [sic] thence south with the Benton County line to an inner corner of the Carroll-Benton County line, [sic] thence east with the Carroll-Benton County line to the intersection of the Decatur County line; thence south with the Carroll-Decatur line to the point of beginning.

As amended by: Private Acts of 1985, Chapter 65

COMPILER'S NOTE: The 1985 amendment deleted the portion of Section 1 which provided that this special school district would be known as the "South Carroll County Special School District".

SECTION 2. That a Board of Education composed of five members, all of whom shall be more than twenty-one years of age and bonafide [sic] residents of and qualified voters in the said South Carroll County Special School District, be and the same is hereby created and established for the Special School District, provided that of the said Special District Board of Education, one shall reside in and be elected by the qualified voters of the Thirteenth Civil District, as now constituted; one shall reside in and be elected by the qualified voters of the Fourteenth Civil District, as now constituted; and one shall reside in and be elected by the qualified voters of the Westport precinct of the Twenty-Fourth Civil District, as now constituted; and one shall reside in and be elected by the qualified voters of the Concord precinct of the Twenty-Fourth Civil District, as now constituted; one shall reside and be elected by the qualified voters of those portions of Civil Districts Six, Seven, and Twelve, as the same are described in Section 1 of this act. The members of the first Board of Education of said Special School District, which is hereby constituted and appointed, shall serve until September 1, 1956 and until their successors shall be elected and qualified. After September 1, 1956 the terms of the members of the said Board of Education shall be for four years. The first Special Board of Education, which is hereby constituted and appointed, shall consist of the following named persons:

Thirteenth Civil District--Woodrow Enochs.

Fourteenth Civil District--Dorsey Dameron.

Twenty-Fourth Civil District--(Westport Precinct) M.C. Spellings.

Twenty-Fourth Civil District--(Concord Precinct) Cedric Horn.

Portions of Sixth, Seventh and Twelfth Civil District--B. Crum.

In the event of a vacancy among the members of said Special Board of Education, the remaining members of said Board of Education shall have the power to fill and shall fill such vacancies by appointment and such appointees shall hold office until September 1, 1956; or thereafter, the person so appointed to fill such vacancy shall serve for the remainder of the unexpired term of his predecessor or until the next regular biennial election, whichever is sooner, and until a successor is elected and qualified

The term of those members of the Board of Education of said Special School District elected in the August, 1972 election from the Thirteenth Civil District, as now constituted, and of those portions of Civil Districts Six, Seven, and Twelve, as the same are described in Section 1 of Chapter 278 of the Private Acts of 1955 shall be two (2) years; thereafter [sic], the terms of said elected members from the said Thirteenth Civil District and the same portion of Civil Districts Six, Seven, and Twelve shall be for a full four (4) year term. As amended by: Private Acts of 1972, Chapter 301

SECTION 3. That the members of said Board of Education shall within thirty days after the passage of this Act, meet at some convenient place in said Special School District, qualify by taking and subscribing to the oath required by law in such case and organize by electing a chairman, vice-chairman, a secretary and a treasurer, all of whom shall be members of said Board and upon such organization being perfected said Board of Education shall proceed to make all necessary and proper arrangements for the operation of said Special School District and for the management and control of the schools of said district under the powers herein given.

SECTION 4. That the members of said Board of Education shall serve without compensation but provision and allowance may be made for payment not to exceed Two (\$2.00) Dollars per meeting and Five (5¢) Cents per mile one way for the meetings and for reasonable clerical assistance necessary in keeping records and books of the secretary and the treasurer, provided that such duties may be assigned to the Superintendent of the Special School District said [sic] Board of Education shall prescribe the rules and regulations for its government and shall meet at such stated intervals as may be prescribed by its rules and regulations, and may hold such special meetings as may be necessary or advisable for all of which special meetings all members shall have the notice prescribed by its rules and regulations.

The Treasurer of said Board of Education shall enter into bond with proper conditions, sufficient to cover the school funds belonging to said South Carroll County Special School District which may be received, the amount of penalty of which bond shall be determined by said Board of Education and the bond shall be payable to the State of Tennessee for the use and benefit of said South Carroll County Special School District and such bond shall be approved by and filed with the Chairman of said Board of Education; the premium on said bond to be paid as an expense of said Special School District.

The Secretary of said Board of Education shall keep a true and correct record of all meetings and business transactions of said Board and shall perform such other duties as may be required from time to time by said Board. The Treasurer of said Board of Education shall keep a true and correct account of all moneys received and disbursed and shall perform such other duties as may from time to time be required by the Board.

All necessary books, blank forms and stationery for the proper keeping of records by the Secretary and by the Treasurer shall be provided by the Board and paid as an expense incident to the management, control and maintenance of said schools and all books, records and other papers in connection with the administration of said schools shall be carefully preserved by the respective officers keeping same, and upon the expiration of their terms of office shall be delivered to their successors.

SECTION 5. That the said Board of Education, a majority of which shall at all times constitute a quorum for the transaction of business, shall have all the powers usually incident to and belonging to Boards of Education of municipal corporations and shall have full powers as directors or trustees to manage the schools of said District. Said Board of Education shall make or cause to be made, and properly verified and certified, all necessary and proper reports of scholastic population, average daily attendance and other statistical data with reference to the schools of said district to the County Trustee, the County Superintendent of Public Instruction and the State Commissioner of Education, all as required by and in accordance with the general laws of the State governing the management and control of the Public schools of the State. And said Board of Education shall prescribe all reasonable and necessary rules and regulations for the management, government and control of such schools and shall employ such superintendents, teachers, and assistant teachers as may be necessary in their conduct and management. The Board of Education shall also have the power to borrow money against the credit of the South Carroll County special school district as created by anticipated tax receipts and/or state receipts.

As amended by: Private Acts of 1995, Chapter 108

SECTION 6. That the County Trustee of Carroll County from and after July 1, 1955, shall apportion to the South Carroll County Special School District for the operation and maintenance of the schools therein provided for, the pro rata share of all school funds in his hands to which the said South Carroll County Special School District is entitled, which apportionment as between the said South Carroll County Special School District and the remainder of Carroll County shall be made according to the provisions of the State school law, and this apportionment shall apply not only to the pro rata share of any and all school taxes assessed and collected locally by Carroll County under the general law, but also the pro rata share of said Special School District in the State school funds paid over to said County Trustee by the State pursuant to law.

SECTION 7. That the school properties of the Carroll County Board of Education lying within the said Special School District herein created, which boundaries are set out in Section 1 of this Act, shall be and hereby are transferred to the control of the South Carroll County Special School District Board of Education as herein established and constituted.

SECTION 8. That the said Special School District Board of Education as herein established and constituted, shall have the power to establish, [sic] locate such school or schools as it deems necessary of grades one through twelve, or any combination of these grades, provided that except for failure to maintain average daily attendance as required by State of Tennessee school law, neither of the schools of Concord, Westport, Yuma or Clarksburg shall be moved or discontinued except by the consent of a majority of the qualified voters within the district in which the school is located.

SECTION 9. That the South Carroll County Special School District be and it is hereby authorized and empowered to issue and sell its interest-bearing coupon bonds, to mature at a date not exceeding thirty (30) years after their issuance, in an amount not exceeding One Hundred Fifty Thousand Dollars, (\$150,000.00), to provide funds for repairing, remodeling, and improving present school buildings and to erect new school buildings and to provide for the purchase of equipment and facilities for such buildings and school grounds.

SECTION 10. That any bonds issued under authority hereof shall be appropriately designated to show [sic] purpose for which they were issued. They shall be issued at such time or times, bear such date or dates, be due and payable at such time or times, redeemable if required by said Special School District, bear such interest rate or rates, be in such denominations, as herein provided, and as the South Carroll County Special School District may fix by resolution in each instance, and shall not be sold for less than par and accrued interest, the rate of interest on such bonds in no event to exceed five (5%) per cent per annum. The bonds and coupons shall be signed by the Chairman of said District Board of Education and the Secretary of said Board, but the signatures on the coupons may be lithographed. The bonds shall be the absolute, direct and general obligation of the South Carroll County Special School District, or be the direct and general obligation of said Special School District with a pledge of revenues, as it may determine, in that any funds receivable by said Special School District, not otherwise pledged to the payment of its other indebtedness, may be allocated, pledged and used for such purposes and for the retirement of said bonds.

SECTION 11. That said bonds shall be sold in such manner and upon such advertisement as shall be fixed by resolution, [sic] by said Board of Education of said Special School District and the proceeds thereof shall be kept in a separate fund and shall be used exclusively for the purposes named in this Act. But it shall not be necessary for the purchaser of the bonds so sold to look to the proper application of the funds.

SECTION 12. That for the purpose of paying interest on the bonds and of paying bonds at maturity there is hereby levied, and the South Carroll County Special School District is hereby authorized and empowered to levy and collect for the year 1955 and each subsequent calendar year thereafter a special tax of Eighty (\$.80) Cents on each One Hundred (\$100.00) Dollars of taxable property, both real and personal, situated within the boundaries of said Special School District as designated in Section 1 of this Act. Said tax shall be an addition to the amount levied for the operation and maintenance of the schools of said Special School District. Said levy shall become effective upon the result of any election held in said Special School District wherein a majority of the voters in said election held in said Special School District wherein a majority of the voters in said election shall be for the issuance of said bonds. Said tax shall be collected by the trustee of the county as other taxes are collected by him, and shall be kept in a separate account from all other funds belonging to said Special School District for the purpose of paying interest on said bonds and to create a sinking fund to pay said bonds as they mature.

There is hereby levied, and The South Carroll County Special School District is hereby authorized and empowered to levy and collect for the year 2001 and each subsequent calendar year thereafter a special tax of one dollar (\$1.00) on each one hundred dollars (\$100) of taxable property, both real and personal, situated within the boundaries of The South Carroll County Special School District and may pledge such tax to pay such debt service. This tax is for the purpose of paying the costs of the acquisition, construction, improvement, renovation, and equipping of schools, and related educational facilities within The South Carroll County Special School District, including the acquisition of all property real and personal appurtenant thereto and connected with such work, and paying all legal, fiscal, administrative and engineering costs incident thereto, including, without limitation, all debt service on indebtedness incurred for the foregoing purposes. This tax shall be in addition to the amount levied for the operation and maintenance of the schools of The South Carroll County Special School District.

As amended by:

Private Acts of 2001, Chapter 2

The Board of Education of "The South Carroll County Special School District" shall have the authority to

set the tax rate lower than that imposed by this Act as amended or any other Act setting a tax rate for "The South Carroll County Special School District" but shall not have the power to impose a tax in excess of any statutory levy nor shall it have the power to lower any special levy assessed for the purpose of bond repayment. In order to change the rate of taxation, the Board shall certify on or before September 1 to the County Trustee the new special school district tax rate not to exceed the rate imposed by any Legislative Act, and the County Trustee shall collect only the taxes based on the rates based on the rates so certified.

As amended by:

Private Acts of 1975, Chapter 179

SECTION 13. That none of bonds as above authorized shall be issued until after an election is held in said Special School District, and a majority of the qualified voters voting in said election, by their ballots vote in favor of issuance of said bonds, which election or elections shall not be called, as hereinafter provided, until after the passage of a resolution of the Board in and for said Special School District, calling for the same, and specifying the purpose, and fixing the amount of the bonds to be issued thereunder. The election or elections for said purpose or purposes shall be called by the Election Commissioners of Carroll County within sixty (60) days after receipt of it [sic] from said Board of written notice of the passage of the resolution, aforesaid; and said written notice shall be accompanied by a copy of said resolution, certified to [sic] by the Chairman and Secretary of the Board of said Special School District, and said election shall be called and held as other elections are held; said Special School District shall pay for and said Commissioners of Election shall furnish, according to the law now existing and regulating elections in this State, tickets to be used in said election, and upon said tickets shall be printed (1) "For issuance of One Hundred Fifty Thousand Dollars (\$150,000.00) (or for such amount as shall have been fixed by resolution of the Board of the South Carroll County Special School District) School Bonds," and (2) "Against the issuance of One Hundred Fifty Thousand Dollars, (\$150,000.00) (or such amount as shall have been fixed by resolution of the Board of the South Carroll County Special School District) School Bonds," and votes shall mark their ballots as provided by law, and all persons qualified to vote in South Carroll County Special School District elections, may vote; provided that failure of a majority of the qualified voters of the South Carroll County Special School District, voting in said election to vote for the issuance of said bonds provided for in this Act, shall not prevent the submission of another proposition to issue bonds under this Act, and in case of a failure of a majority of the qualified voters voting in said election, or elections, to vote for the issuance of the bonds as provided for in this Act, subsequent elections may be held under the same provisions and restrictions as provided in this Act, as to whether said bonds shall be issued; but if in any of the elections herein provided for, a majority of the qualified voters voting in said election shall vote for the issuance of said bonds, said bonds shall be accordingly issued as directed by this Act.

SECTION 14. That whatever bonds issued in pursuance of the authority herein granted shall be known and designated as "South Carroll County School Bonds," and said bonds shall contain a recital that they are issued pursuant to and in accordance with the provisions of this Act, and such recital shall be conclusive evidence of their legality.

SECTION 15. That for the purpose of operating and maintaining the schools of the South Carroll County Special School District and for the purpose of supplementing the fund as now provided by law and available for the benefit of the inhabitants of said Special School District, South Carroll County Special School District, there is hereby levied for the year 2008 and each subsequent calendar year thereafter a separate tax of one dollar and thirty cents (\$1.30) on each one hundred dollars (\$100) of taxable property, both real and personal, situated within the boundaries of the South Carroll County Special School District as designated in Section 1 of this Act. The taxes levied by this section shall become due under the general laws of the State and collected by the County Trustee of Carroll County, and the special taxes hereby provided for, together with all school funds received from the County Trustee, shall constitute the school fund for said Special School District, which school fund shall from time to time as collections and apportionments are made, be paid to the Treasurer of the Board of Education of said Special School District or as the District Board of Education may direct, by the County Trustee upon warrants signed by the Chairman, or Vice-Chairman, and Secretary of said Board of Education, and shall be under the control of said Board of Education for the use and benefit of said Special School District and for the operation and maintenance of the schools therein provided and for no other purpose. No part of said school funds shall be paid out by the Treasurer of said Special School District, or otherwise, except upon and by order of said Board of Education upon warrant properly drawn and signed by its Chairman, or Vice-Chairman, and Secretary. A separate tax list and assessment roll for that part of Carroll County lying within the boundaries of said Special School District, as defined in Section 1 of this Act, shall be used by the County Trustee in making collections of said taxes.

As amended by:

Private Acts of 1981, Chapter 145

Private Acts of 1982, Chapter 285

Private Acts of 1986, Chapter 130

Private Acts of 2008, Chapter 83

SECTION 16. That Section [sic] 714 of the Private Acts of 1917, as amended, the caption of which is set forth in the caption of this Act, and all laws or parts of laws in conflict with the provisions of this Act, be and the same hereby are repealed.

COMPILER'S NOTE: Private Acts of 1917, Chapter 714, established the Clarksburg Special School District in Carroll County.

SECTION 17. That 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 intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

SECTION 18. That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of Carroll County at its regular meeting in April, 1955, or as soon thereafter as the Court shall meet in either a called or regular meeting. Its approval or non-approval shall be proclaimed by the presiding officer of the said Court, and the result shall be certified to the Secretary of State.

SECTION 19. That within 30 days after the Governor approves this Act, the Election Commissioners of Carroll County shall call an election to be held not later than 60 days after its approval for the purpose of determining the will of a majority of the people in the South Carroll County Special School District. The question on the ballot shall be:

"I favor creating the South Carroll County Special School District. [sic]

"Yes [sic]

"No"

Those in favor of the proposition shall vote "Yes" and those opposed shall vote "No". All persons residing in the area designated as South Carroll County Special School District who are registered and qualified to vote under the registration and election laws shall be entitled to vote in said election. The election shall be conducted in accordance with the election laws. The said election is declared to be for a county governmental purpose and the county shall expend from its general funds the moneys necessary to conduct the election. In the event that this section is declared to be invalid or unconstitutional by the Courts, the same shall be elided, and the General Assembly declares that the other sections of this Act would have been enacted irrespective of the validity of this Section.

SECTION 20. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 9, 1955.

Bonds

Private Acts of 1978 Chapter 210

SECTION 1. Chapter 146 of the Private Acts of 1977 is repealed.

SECTION 2. The South Carroll County Special School District, as created by Chapter 278 of the Private Acts of 1955, is hereby authorized to issue its negotiable bonds in an aggregate principal amount not exceeding three hundred and fifty thousand dollars (\$350,000) for the purpose of constructing, repairing, improving and equipping school buildings and additions thereto for said school district, and acquiring all property, real and personal, appurtenant thereto or connected with such work. Said bonds shall bear interest at such rate or rates not exceeding eight per cent (8%) per annum, payable annually or semiannually, shall mature serially or otherwise in not exceeding thirty (30) years after date thereof and shall be subject to such terms of redemption, with or without premium, as may be provided by resolution of the Board of Education of said school district. Said bonds shall be in such form and of such denominations and shall be sold in such manner as the Board of Education may provide by resolution, but in no event shall such bonds be sold for less than par and accrued interest. The Board of Education is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds. Said bonds shall be signed by the Chairman of the Board of Education with his manual or facsimile signature and attested by the Secretary of said board with his manual signature, and the coupons attached thereto shall be signed with the facsimile signatures of said officials. The Board of Education may by resolution provide for the official seal of said district or a facsimile thereof to be impressed or reproduced upon each of said bonds.

SECTION 3. For the purpose of paying the principal and interest and any redemption premium on the school bonds herein authorized there is hereby levied a continuing annual tax of one dollar (\$1.00) on each one hundred dollars (\$100.00) worth of taxable property in said South Carroll County Special School District, beginning with the year 1978 and continuing until said bonds have been paid in full as to both principal and interest. Said tax shall be annually extended and collected by the county officials of Carroll 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 said taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal and interest and redemption premiums on the school bonds herein authorized.

SECTION 4. The bonds herein authorized shall be exempt from all state, county, and municipal taxes.

SECTION 5. The bonds herein authorized shall not be issued until the issuance thereof has been approved by a majority of the registered voters of said district voting at an election called for such purpose by the County Election Commission of Carroll County pursuant to the request of the Board of Education of said district. Such election shall be held in the same manner and by the same officials as general elections are required to be held in Carroll County and notice thereof shall be given in the manner required by Title 2, Tennessee Code Annotated, for elections held on questions in Carroll County. At such election the proposition being submitted to the registered voters of said district shall appear in the form of a question and shall briefly state the maximum amount of bonds to be issued and the purpose for which such bonds are to be issued and shall be followed by the words "Yes" and "No" so that a voter can vote his preference by making a cross mark (X) opposite the proper word. The County Election Commission of Carroll County shall canvass the returns of such election and determine and declare in writing the results thereof. Such declaration shall constitute conclusive evidence of the results said election. If a majority of the registered voters of said district voting at any election vote against the issuance of the bonds herein authorized, no subsequent election may be held for such purpose within one hundred and eighty (180) days succeeding the date of such election.

SECTION 6. 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 7. All laws or parts of laws in conflict herewith are, to the extent of such conflict, repealed.

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

Passed: March 6, 1978.

Private Acts of 2008 Chapter 82

SECTION 1. The South Carroll County Special School District, located in Carroll County, Tennessee (the "District"), created by Chapter 278 of the Private Acts of 1955 of the State of Tennessee, as amended, by Chapter 258 of the private Acts of 1959, by Chapter 112 of the Private Acts of 1961, by Chapter 301 of the Private Acts of 1972, by Chapter 179 of the Private Acts of 1975, by Chapter 146 of the Private Acts of 1977, by Chapter 210 of the Private Acts of 1978, by Chapter 145 of the Private Acts of 1981, by Chapter 285 of the Private Acts of 1982, by Chapter 65 of the Private Acts of 1985, by Chapter 130 of the Private Acts of 1986, Chapter 108 of the Private Acts of 1995 and by Chapter 2 of the Private Acts of 2001, and any other Acts amendatory thereto (the "Act of Incorporation"), is hereby authorized and empowered to issue and sell to the United States of America, acting through Rural Development, by resolution of the Board of Education of the District, an installment bond in the principal amount of not to exceed two million six hundred ninety-four thousand dollars (\$2,694,000) for the purpose of providing funds for the (i) construction, improvement, renovation, expansion, furnishing, fixturing and equipping of a gymnasium, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, (ii) funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bond as the Board of Education of the District shall determine, (iii) payment of capitalized interest during the period of construction, and (iv) 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 bond.

SECTION 2. The bond shall be sold to the United States of America, acting through Rural Development, as a fully registered installment bond, without coupons, at a rate not to exceed four and one-eighth percent (4.125%) per annum and payable in four hundred fifty-six (456) consecutive monthly installments of principal and interest.

SECTION 3. The bond 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 Education authorizing the bond.

SECTION 4. For the purpose of paying principal of and interest on the bond 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 thirty-one cents (\$0.31) on every one hundred dollars (\$100) of real and personal property located within the District, such tax to be effective for the 2008 tax year and each tax year thereafter that the bond remains outstanding. Said 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 3 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 Education, the county assessor of property shall certify to the county trustee and the Board of Education the total assessed value of taxable property within the District and furnish the county trustee and the Board of Education 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 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 67-5-1704(b), or any successor thereto. Said taxes shall be used exclusively to pay principal and interest 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 Education is hereby authorized to pledge such tax to pay the principal of an interest on the bonds and any other indebtedness of the District. The taxes shall be annually extended and collected by the county trustee of Carroll 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. Any 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 Education, and may thereafter be used, at the discretion of the Board of Education of the District, 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, and the purchase of school buses and school transportation equipment, and all other operations and maintenance of schools in the District.

SECTION 5. The Board of Education is authorized to pledge to the payment of the bond 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 Carroll 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 bond, 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 Education, to borrow money and issue its bond or bonds for the purpose of refunding the bond 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 Education, to issue and sell notes of the District in anticipation of the issuance of the bond authorized herein. The notes 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 Education. 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 Education. The Board of Education 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 Education shall deem necessary or desirable.

SECTION 9. 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 his act are declared to be severable.

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

Passed: April 3, 2008.

West Carroll

Private Acts of 1981 Chapter 109

SECTION 1. A special school district is hereby created and established, covering and including the 1st, 2nd, 3rd, 5th, 20th, and 21st and parts of the 6th, 7th, 8th, and 19th Civil Districts of Carroll County, Tennessee, to be known as "West Carroll Special School District", with boundaries as follows:

Beginning at a point on the north Carroll County line and the south Weakley County line [sic] is intersected by the 3rd Civil District line thence south along the McKenzie Special School District boundary line to a point where it would join the Huntingdon Special School District boundary line to a point where it intersects with the South Carroll County Special School District boundary line to a point where it intersects the Henderson County line thence west with the Henderson-Carroll County line to a point at the Madison-Carroll County line continuing west to the Madison, Gibson, and Carroll County boundary line thence north with the Gibson County and Carroll County line to the Gibson, Weakley, and Carroll County boundary line thence running with the Weakley County-Carroll County line to the point of origin.

SECTION 2.

(a) The West Carroll Special School District shall be governed by a board of education of six (6) members, a majority of whom shall constitute a quorum for the transaction of business. The members of the board shall be elected from the three (3) districts or areas which joined to form the West Carroll Special School District. Each such district or area shall be represented by two (2) members who shall be residents of the district. The qualified voters residing in each district shall elect the members representing that district. Members shall be elected to staggered four (4) year terms, except as provided elsewhere in this section. Members shall be elected at the Regular August Election, and shall take office on September 1st following their election.

(b) The members appointed by the original Section 2 of Chapter 109 of the Private Acts of 1981, to two (2) year terms shall continue to hold office until members are elected under the provisions of subsection (c) of this Act, notwithstanding the original expiration date of their terms. The members appointed by the original Section 2 of Chapter 109 of the Private Acts of 1981, to four (4) year terms shall hold office as provided in subsection (c) of this Act. All actions taken by the board between the expiration of two (2) year terms provided for in the original Section 2 of Chapter 109 of the Private Acts of 1981, and the time the persons elected at the special election provided for by this Act take office are hereby confirmed and validated, and the board during that time shall have full and complete authority.

(c) Within sixty (60) days of the expiration of the original two (2) year terms set out in the Act, the board shall request the Carroll County Election Commission to call a special election. Notwithstanding contrary provisions of this Act, members elected at this special election in 1983, shall take office upon election, and shall hold office until September 1, 1986. Their successors shall be elected to full four (4) year terms at the Regular August Election in 1986, and serve until September 1, 1990. Thereafter, their successors shall be elected and serve in accordance with subsection (a).

Notwithstanding the provisions of the original Section 2 of Chapter 109 of the Private Acts of 1981, the

four (4) year terms set out therein shall expire on September 1, 1984. The successors to these positions shall be elected at the Regular August Election, 1984, take office September 1, 1984, and serve until September 1, 1988. Thereafter, their successors shall be elected and serve as provided in subsection (a).

(d) In the event of a vacancy on the board, the remaining members of the board shall fill the vacancy by appointment. Such appointee shall hold office until the next Regular Election, at which election a person shall be elected to fill the unexpired portion, if any, of the term. When a vacancy is filled, the member appointed shall be a resident of the area designated in this Act wherein his predecessor resided.

As amended by: Private Acts of 1983, Chapter 146

SECTION 3. The members of the Board of Education shall within thirty (30) days after the effective date of this Act, meet at some convenient place in the district, qualify by taking and subscribing to the oath required by law in such cases and organize by electing a chairman, a vice-chairman, a secretary, and a treasurer, all of whom shall be members of the board and upon such organization being perfected the board shall prove [sic] to make all necessary and proper arrangements for the operation of the district and for the management and control of the schools of the district under the powers herein given.

SECTION 4.

(a) The members of the Board of Education shall serve without compensation.

(b) The treasurer of the board shall enter into bond with proper conditions, sufficient to cover the school funds belonging to the West Carroll Special School District which may be received, the amount of penalty of which bond shall be determined by the Board of Education and the bond shall be payable to the state of Tennessee for the use and benefit of the West Carroll Special School District and such bond shall be approved by and filed with the chairman of the Board of Education; the premium on the bond to be paid as an expense of the district.

(c) The secretary of the board shall keep a true and correct record of all meetings and business transactions of the board and shall perform such other duties as may be required from time to time by the board. The treasurer of the board shall keep a true and correct account of all monies received and disbursed and shall perform such other duties as may from time to time be required by the board.

(d) All necessary books, blank forms, and stationery for the proper keeping of records by the secretary and by the treasurer shall be provided by the board and paid as an expense incident to the management, control, and maintenance of the schools and all books, records, and other papers in connection with the administration of the schools shall be carefully preserved by the respective officers keeping same, and upon the expiration of their terms of office shall be delivered to their successors.

SECTION 5. The board of education, a majority of which shall at all time constitute a quorum for the transaction of business, shall have all the powers usually incident to and belonging to boards of education of municipal corporations and shall have full powers as directors or trustees to manage the schools of the district. The board of education shall make or cause to be made, and properly verified and certified, all necessary and proper reports of scholastic population, average daily attendance and other statistical data with reference to the schools of said district to the county trustee, the county superintendent of public instruction, and the state commissioner of education, all as required by and in accordance with the general laws of the state governing the management and control of the public schools of the state. The board of education shall prescribe all reasonable and necessary rules and regulations for the management, governance, and control of such schools and shall employ such superintendents, teachers and assistant teachers as may be necessary in their conduct and management.

SECTION 6. The county Trustee [sic] of Carroll County from and after July 1, 1981, shall apportion to the West Carroll Special School District for the operation and maintenance of the schools herein provided for, the pro rata share of all school funds in his hands to which the West Carroll Special School District is entitled, which apportionment as between the West Carroll Special School District and the remainder of Carroll County shall be made according to the provisions of the state school law, and this apportionment shall apply not only to the pro rata share of any and all school taxes assessed and collected locally by Carroll County under the general law, but also the pro rata share of the special school district in the state school funds paid over to the county trustee by the state, pursuant to law.

SECTION 7. For the purpose of operating and maintaining the schools of the special school district and for the purpose of supplementing the funds as now provided by law and available for the benefit of the inhabitants of the district, there is hereby levied and assessed for the year 1981 and each subsequent year thereafter a separate tax of one dollar seventy-five cents (\$1.75) on each one hundred dollars (\$100.00) of taxable property situated within the boundaries of the district as defined in Section 1 of this Act. The taxes levied by this section shall become due under the general laws of the state and collected by the county Trustee [sic] of Carroll County, and the special taxes hereby provided for, together with all school funds received from the county Trustee [sic], shall constitute the school fund for the Special School

District, which school fund shall from time to time as collections and apportionments are made, be paid to the Treasurer of the Board of Education of the Special School District or as the District Board of Education may direct, by the county Trustee [sic] upon warrants signed by the chairman, or vice-chairman, and secretary [sic] of the Board of Education, and shall be under the control of the board for the use and benefits [sic] of the district and for the operation and maintenance of the schools herein provided and for no other purpose. No part of such school funds shall be paid out by the Treasurer of the district, or otherwise, except upon and by order of the board upon warrant properly drawn and signed by its chairman and secretary. A separate tax list and assessment roll for that part of Carroll County lying within the boundaries of the school district, as defined in Section 1 of this Act, shall be used by the county Trustee [sic] in making collections and such taxes.

In addition to any other tax applicable to property in the West Carroll County [sic] Special School District there is levied a property tax sufficient to reflect the percent of changes in the average consumer price index (all items city average) as published by the United States department of labor, bureau of labor statistics, between the figures for the calendar year 1986 and the calendar year 1983. In addition to any other tax applicable to property in the West Carroll County [sic] Special [sic] District there is levied a property tax sufficient to compensate for any decrease in revenues from 1986 levels to the school district due to a use valuation of property in the district in 1987 pursuant to Tennessee Code Annotated, Title 67, Chapter 5, Part 10, and due to any reduction in revenues allocated to the school district by Carroll County in 1987. The taxes imposed by this paragraph shall provide the same ad valorem revenue for such special school district as was levied in 1986 plus an additional amount to reflect the change in the consumer price index between 1986 and 1983.

The board of education of the West Carroll County [sic] Special School District shall have the authority to set the tax rate lower than that imposed by this Act as amended or any other act, setting a tax rate for the West Carroll County [sic] Special School District, but shall not have the power to impose a tax in excess of any statutory levy nor shall it have the power to lower any special levy assessed for the purpose of bond repayment. In order to change the rate of taxation, the board must certify on or before September 1 to the county trustee the new special school district tax rate not to exceed the rate imposed by any legislative act, and the county trustee shall collect only the taxes based on the rates so certified.

As amended by:

Private Acts of 1987, Chapter 94,
Private Acts of 2002, Chapter 143.

SECTION 8. [DELETED by Private Acts of 1982, Chapter 229].

SECTION 9. The West Carroll Special School District Board of Education as herein established and constituted shall maintain a school at all of the existing school sites for a period of at least two (2) years. After such period of time the board will operate the schools in the district in the same manner as provided in the public school laws of the state of Tennessee.

SECTION 10. The Atwood Special School District and the Trezevant Special School District shall continue to be responsible for all outstanding obligations as previously created by the respective special school districts.

COMPILER'S NOTE: According to the State Comptroller's Office, County Audit Division, Atwood had outstanding debt of \$83,000 and Trezevant had \$7,000 outstanding debt as of June 1991.

SECTION 11. [DELETED by Private Acts of 1982, Chapter 229].

SECTION 12. The operation of any pre-existing special school district within the boundaries described in Section 1 shall be suspended upon the formation of the West Carroll Special School District, but any obligations, including bonded indebtedness, incurred by any such pre-existing special school district shall remain in full force and effect and any tax imposed to secure the payment of any debt shall be continued unless payment of the debt is assumed by the new district and a pledge of revenues made sufficient to secure payment of the principal and interest on any outstanding obligation.

As amended by:

Private Acts of 1982, Chapter 229

SECTION 13. Any buildings that are constructed or renovated for the use by students of the entire district will be located as near the center of student population as possible.

SECTION 14. In the event that any section in this Act [sic] declared to be invalid or unconstitutional by the courts, the same shall be elided, and the General Assembly declares that the other sections of this Act would have been enacted irrespective of the validity of this [sic] section.

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

As amended by:

Private Acts of 1982, Chapter 229

Passed: May 6, 1981.

Bonds

Private Acts of 1983 Chapter 30

SECTION 1. The West Carroll Special School District, as created by Chapter 109 of the Private Acts of 1981, is hereby authorized to issue its negotiable bonds in an aggregate principal amount not exceeding four million, two-hundred and fifty thousand dollars (\$4,250,000.00) for the purpose of constructing, repairing, improving and equipping school buildings and additions thereto for said school district, and acquiring all property, real and personal appurtenant thereto or connected with such work. Said bonds shall bear interest at such rate or rates not exceeding twelve percent (12%) per annum payable annually or semiannually, shall mature serially or otherwise in not exceeding thirty (30) years after date thereof and shall be subject to such terms of redemption, with or without premium, as may be provided by resolution of the Board of Education of said school district. The bonds shall be in such form and of such denominations and shall be sold in such manner as the Board of Education may provide by resolution, but in no event shall such bonds be sold for less than par and accrued interest. The Board of Education is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance and sale of said bonds. The bonds shall be signed by the Chairman of the Board of Education with his manual or facsimile signature and attested by the secretary of said board with his manual signature, and the coupons attached thereto shall be signed with the facsimile signatures of said officials. The Board of Education may by resolution provide for the official seal of said district or a facsimile thereof to be impressed or reproduced upon each of the bonds.

SECTION 2. For the purpose of paying the principal and interest and any redemption premium on the school bonds herein authorized there is hereby levied a continuing annual tax of one dollar and ninety-nine cents (\$1.99) on each one hundred dollars (\$100.00) worth of taxable property in said West Carroll Special School District, beginning with the year 1983 and continuing until the 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 Carroll 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 said taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal and interest and redemption premiums on the school bonds herein authorized.

SECTION 3. The bonds herein authorized shall be exempt from all state, county, and municipal taxes.

SECTION 4. The bonds herein authorized shall not be issued until the issuance thereof has been approved by a majority of the registered voters, including property owners of said district voting at an election called for such purpose by the County Election Commission of Carroll County pursuant to the request of the Board of Education of said district. The election shall be open to all registered voters of the district and to all persons owning real property within the boundaries of the district. Such election shall be held in the same manner and by the same officials as general elections are required to be held in Carroll County and notice thereof shall be given in the manner required by Tennessee Code Annotated, Title 2 for elections held on questions in Carroll County. At such election the proposition being submitted to the registered voters, including property owners of said district shall appear in the form of a question and shall briefly state the maximum amount of bonds to be issued and the purpose for which such bonds are to be issued and shall be followed by the words "Yes" and "No" so that a voter can vote his preference by making a cross mark (X) opposite the proper word. The County Election Commission of Carroll County shall canvass the returns of such election and determine and declare in writing the results thereof. Such declaration shall constitute conclusive evidence of the results of said election. If a majority of the registered voters, including property owners of said district voting at any election vote against the issuance of the bonds herein authorized, no subsequent election may be held for such purpose within sixty (60) days succeeding the date of such election.

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

SECTION 6. All laws or parts of laws in conflict herewith are, to the extent of such conflict, repealed.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 9, 1983.

Private Acts of 1984 Chapter 209

SECTION 1. The West Carroll Special School District (the "District") in Carroll County, Tennessee, as created by Chapter 109 of the Private Acts of the General Assembly of the State of Tennessee for 1981, as amended by Chapter 229 of the Private Acts of the General Assembly of the State of Tennessee for 1982 and as amended by Chapter 146 of the Private Acts of the General Assembly of the State of Tennessee for 1983, is hereby authorized and empowered from time to time to borrow money and issue its negotiable, interest-bearing bonds therefor in an aggregate principal amount not exceeding Two Million Dollars (\$2,000,000) (the "Bonds") for the purpose of constructing, enlarging, improving, remodeling, renovating, repairing, furnishing and equipping school buildings and properties and additions thereto for the District, together with the purchase of real estate and interests in real estate in connection therewith for use for school purposes, and to issue negotiable, interest-bearing bonds or notes for the purpose of refunding any outstanding obligations of the District previously or hereafter issued for the aforesaid purposes in such amounts as shall be necessary to effect said refunding. The Bonds shall bear interest at a rate not to exceed twelve percent (12%) per annum, but in no event shall the rate exceed the legal rate of interest for written contracts; shall be payable annually or semi-annually; shall mature serially or otherwise, at such time or times not exceeding twenty-five (25) years after date thereof, shall be payable at such place or places; all as may be provided by resolution of the Board of Education of the District (the "Board"). The Bonds shall be in such 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 may provide by resolution, but in no event shall the Bonds be sold for less than par value plus accrued interest. The Board is authorized and empowered to do and perform all acts which may be necessary or desirable in connection with the issuance of the Bonds. The Bonds shall be executed by the Chairman of the Board with his manual or facsimile signature and attested by the Secretary or Treasurer of the Board, and the coupons, if any, attached thereto shall be executed by the facsimile signatures of said officials.

As amended by:

Private Acts of 1991, Chapter 63

SECTION 2. The Bonds herein authorized shall not be issued until the issuance thereof has been approved by a majority of the qualified voters residing in the District and non-resident owners of real property located in the District voting in an election called for such purpose by the election commissioners of Carroll County (the "Commissioners"). Within thirty (30) days after this Act becomes law, the Election Commission of Carroll County (the "Commission") shall call an election for the District to be held upon such date as may be fixed by the Commissioners, but not less than sixty (60) nor more than ninety (90) days from the date of the call. Such election shall be held in the same manner and by the same officials as general elections are held in Carroll County and notice of said election shall be given at least twenty (20) days prior to such election by publication of an appropriate notice not less than one time in a newspaper of general circulation in the District. The Commissioners shall open and hold the election on the election date so designated and published, at which the qualified voters residing in the District shall have the right to vote. The ballots used in the election shall state briefly the amount of the Bonds to be issued, the purpose for which the Bonds are to be issued and the words "for the issuance of bonds" and the words "against the issuance of bonds", so that the voters in said election shall vote for or against the issuance of the Bonds as they may desire. The Commissioners shall canvass the returns of such election and determine and proclaim the results thereof and certify the results to the Secretary of State of the State of Tennessee as provided by law in general elections. The proclamation and declaration of the results of said election by the Commission shall constitute conclusive evidence of the results of said election. The qualifications of the voters voting on the question shall be the same as those required for participation in general elections. All relevant laws applicable to general elections shall apply to the determination of the approval or rejection of said bond issue. Anything contained in this Act to the contrary notwithstanding, nothing shall prevent other elections from being held under this Act in the event the first or any other election held as provided should result in the majority vote against the issuance of the Bonds, so long as 180 days shall have elapsed following the previous election, and in the event that an election results in the majority vote against the issuance of the Bonds, upon the written request of the Board it shall be the duty of the Commissioners of said county to call, give notice, use ballot form, open, canvass the returns, and hold another election upon all of the same terms and conditions as herein provided for the first said election.

SECTION 3. For the purpose of paying the principal of and interest and any redemption premium on the Bonds herein authorized there is hereby levied a continuing annual tax of ninety-eight cents (\$.98) on each one hundred dollars (\$100.00) worth of taxable property in the District, beginning with the year 1984 and continuing until the Bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the County officials of Carroll 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 said taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal and interest and redemption premiums on the Bonds.

In addition to any other tax applicable to property in the West Carroll County [sic] Special School District there is levied a property tax sufficient to compensate for any decrease in revenues from the 1986 levels to the school district due to a use valuation of property in the district in 1987 pursuant to Tennessee Code Annotated, Title 67, Chapter 5, Part 10. The tax imposed by this paragraph shall provide the same ad valorem revenue for such special school district as was levied in 1986.

As amended by: Private Acts of 1987, Chapter 94

SECTION 4. Interest on the Bonds shall be exempt from all state, county and municipal taxation in the State of Tennessee.

SECTION 5. If any section, paragraph or provision of this Act shall ever be held to be invalid, unconstitutional or unenforceable in any respect by a Court of competent jurisdiction, all other contents and provisions of the remainder of this Act shall remain in full force and effect notwithstanding and without regard to the invalidity, unconstitutionally [sic] or unenforceability of such section, paragraph or provision.

SECTION 6. All laws or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 7. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 3, 1984.

Private Acts of 1999 Chapter 29

SECTION 1. West Carroll Special School District, located in Carroll County, Tennessee (the "District"), created by Chapter 109 of the 1981 Private Acts of the State of Tennessee, as amended by Chapter 229 of the 1982 Private Acts, Chapter 146 of the 1983 Private Acts, Chapter 209 of the 1984 Private Acts, Chapter 94 of the 1987 Private Acts; and Chapter 63 of the 1991 Private Acts 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 Education of the District, bonds in the aggregate principal amount of not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000) 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 interests therein, necessary in connection with said work, (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 Education 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 Education. 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 Education, 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 Education 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 Education 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 Education authorizing the bonds.

SECTION 4. The Board of Education is hereby authorized to pledge the revenues received from the tax authorized herein to pay the principal of and interest and any redemption premiums on the bonds authorized herein and any other indebtedness of the District. The proceeds of said taxes, when collected, shall be deposited to a debt service fund to be established and maintained by the District. The debt service fund is established for the specific purpose of receiving the taxes authorized herein and any other

funds which may from time to time be pledged to the payment of any indebtedness of the District. The debt service fund and the funds therein shall be maintained and accounted for until payment in full of all outstanding obligations of the District and shall be used for the purpose of paying principal of and premium, if any, and interest on the bonds and any other indebtedness of the District. In the event 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.

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 the tax levied by authority of Chapter 109 of the 1981 Private Acts of the State of Tennessee, as amended, a property tax of forty-eight cents (\$0.48) 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. The taxes shall be annually extended and collected by the County Trustee of Carroll 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. The rate hereinabove established may be adjusted from time to time in accordance with the procedure set forth in Section 67-5-1704, Tennessee Code Annotated, 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 10% from January 1 of any year to January 1 of the next succeeding year or declines by more than 15% from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the Board of Education, the county assessor of property shall certify to the county trustee and the Board of Education of the District the total assessed value of taxable property within the District and furnish the county trustee and the Board of Education 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 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 Section 67-5 1701(b), Tennessee Code Annotated, or any successor thereto. Said taxes shall be used exclusively to pay principal of and interest on the bonds authorized herein and any other indebtedness of the District as they come due and to maintain debt service fund balances. Any amounts arising from the tax hereinabove described and not required for the payment of debt service on the bonds authorized herein and other indebtedness of the District in excess of the principal and interest requirements on the bonds authorized herein and other indebtedness of the District for the next succeeding fiscal year may be used, at the discretion of the Board of Education of the District, 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, 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 Education is authorized to pledge to the payment of the bonds 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 Section 49-3-351 et seq., Tennessee Code Annotated, and related sections, (b) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Carroll County, Tennessee, pursuant to Section 67-6-712, Tennessee Code Annotated, 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 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 Education, 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 Education, 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 Education. 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 Education. The Board of Education 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 Education 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 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 Carroll County trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds and indebtedness by the West Carroll Special School District until such bonds and indebtedness have been paid in full; provided that, if a countywide property tax is enacted for school purposes by the Carroll County Board of County Commissioners and the proceeds thereof are distributed to the District in such a way as to be available to pay principal of and interest and redemption premiums on said bonds and other indebtedness, or other funds are available to pay said principal, premium and interest, the tax herein levied may be reduced by the Board of Education to an amount which, together with said other taxes and funds, is sufficient to pay said 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.

Passed: May 3, 1999.

Private Acts of 1997 Chapter 71

COMPILER'S NOTE: This act is an amendment to the Private Acts of 1981, Chapter 109, as amended by Private Acts of 1982, Chapter 229; Private Acts of 1983, Chapter 146; Private Acts of 1984, Chapter 209; Private Acts of 1987, Chapter 94; Private Acts of 1991, Chapter 63 and any other acts amendatory thereto, relative to the tax rate in the West Carroll Special School District.

SECTION 1. The West Carroll Special School District is hereby authorized to continue to collect, and there is hereby levied and assessed, a tax of sixty-seven cents (67¢) per one hundred dollars (\$100.00) of taxable property situated within the boundaries of the district for the purpose of constructing, enlarging, improving, remodeling, renovating and equipping school buildings and properties and additions thereto for the district.

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

Passed: May 21, 1997.

Surplus Bond Funds

Private Acts of 1971 Chapter 144

SECTION 1. In any county having a population of not less than 25,500 nor more than 26,000, according to the United States Census of Population of 1970 or any subsequent United States Census of Population, if any special school district has bonds outstanding payable from taxes levied by private act of the General Assembly and if at any time the amount of deposit in the special fund created solely for the purpose of paying principal of and interest on said bonds shall be equal to at least two hundred per cent (200%) of the amount of the principal and interest coming due on the bonds in the twelve (12) months next succeeding (hereinafter referred to as "annual debt service requirements"), the special school district by resolution may, in its discretion:

- (a) Apply money from the special fund in excess of two hundred per cent (200%) of the annual debt service requirements to any lawful purpose other than the payment of the principal and interest; and/or
- (b) On or before September 1 of any year certify to the county trustee the special school district's tax rate, not to exceed the rate imposed by any existing applicable act of the General Assembly, that will be necessary in order to raise the amount of revenue which must be collected to maintain the special fund during the succeeding year in an amount equal to at least two hundred per cent (200%) of the annual debt service requirements, and the county trustee shall collect only the taxes based on the rate so certified.

As amended by: Private Acts of 1971, Chapter 179

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

Passed: May 12, 1971.

Teacher Retirement System

Private Acts of 1943 Chapter 437

SECTION 1. That the County of Carroll be and it is hereby authorized to make the necessary contracts with any insurance company or companies authorized to do business in the State of Tennessee to provide for the retirement of the public school teachers of the County of Carroll from active service, and to provide group annuity, insurance, pensions or retirement allowances for teachers thus retired.

SECTION 2. That the contract or contracts referred to in Section 1 shall provide for the [sic] payment of the teachers' share of the maintenance cost by making payroll deductions from the salaries of teachers by the County of Carroll, and the County of Carroll is hereby authorized to make such deductions from such salaries.

SECTION 3. That the contract or contracts referred to in Section 1 shall also provide for the County of Carroll to make financial contributions to the cost of maintaining the group pension or retirement system, and the County of Carroll is hereby authorized to make such contributions.

SECTION 4. That the County of Carroll is hereby given authority to take all necessary steps for inaugurating and maintaining said group pension or retirement system.

SECTION 5. That the power or authority vested by this Act in the County of Carroll may be exercised by resolution adopted by the affirmative vote of a majority of the entire membership of the Quarterly County Court of the County of Carroll at any regular meeting of said Court. The amount or proportion of the teachers' contribution to the cost of said system, the amount or proportion of the County of Carroll's contribution thereto and all provisions of such contract or contracts may also be fixed by such resolutions, and such resolution may authorize and direct the proper officials of the County of Carroll to execute said contract or contracts and provide for the carrying of the same into effect.

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

Passed: February 10, 1943.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Carroll County but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1907, Chapter 236, abolished the office of District Director and created a five-member Board of Education and a fifteen-member District Board of Advisors for every county in the state, except those counties which were exempted from the act (Carroll County was not exempt). The county superintendent would be ex officio secretary to the board. The board members would be paid no less than \$1.50 and no more than \$3 for each day devoted to their duty.
2. Private Acts of 1949, Chapter 169, established a County Board of School Commissioners in Carroll County, to have exclusive supervision and control of all public schools in the county except schools located within special school districts. The county was divided into nine school districts,

with each district electing one School Commissioner from its district. Until the first election by qualified voters, the act named A. T. Taylor, George Belew, Bailey Wrinkle, Bernice Booth, Elmer Wilson, Dr. R. B. Wilson, Ade Harder, Clifford Meals and W. E. Brower as members of the Board of School Commissioners. This act withstood constitutional challenge in Taylor v. Taylor, 222 S.W.2d 372 (Tenn. 1949). This act was repealed by Private Acts of 1951, Chapter 2.

Special School Districts - Hollow Rock-Bruceton

The following acts once affected the Hollow Rock-Bruceton Special School District, but appear to have no current effect. They are listed below for historical reference.

1. Private Acts of 1920 (Ex. Sess.), Chapter 97, created the Hollow Rock Special School District out of part of the 16th Civil District of Carroll County, including the town of Hollow Rock. The Board of Directors for the school district would consist of seven members, with the first board being C. N. McMackin, J. P. Cooper, F. A. Penick, L. A. DePriest, B. F. Thompson, W. T. Taylor and O. A. Cowthan. The act set out the powers and duties of the board. Members of the board were to elect a President, Secretary and Treasurer. The act provided for a tax levy in the amount of 40¢ on every \$100 of taxable property in the special district to support and maintain the schools. Although this act has not been specifically repealed, the area including the town of Hollow Rock is now a part of the Hollow Rock-Bruceton Special School District.
2. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt Hollow Rock Special School District from the act.
3. Private Acts of 1925, Chapter 340, amended Private Acts of 1920 (Ex. Sess.), Chapter 97, to change the boundary lines for Hollow Rock Special School District. This act was repealed by Private Acts of 1927, Chapter 315.

Special School Districts - Huntingdon

The following are summaries of private acts which once affected Huntingdon Special School District. These acts are included herein for historical reference.

1. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt Huntingdon Special School District from the act.
2. Private Acts of 1981, Chapter 166, would have expanded the boundaries of the Huntingdon Special School District, but the act did not receive local approval and failed to become effective law.

Special School Districts - McKenzie High School

The following private acts once affected McKenzie High School District, and are included herein for historical reference.

1. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt McKenzie High School District from the provisions of the act.
2. Private Acts of 1959, Chapter 201, authorized a two year tax levy of 15¢ on every \$100 of taxable property in the McKenzie High School District, to enable the school board to have sufficient funds for the payment of teacher salaries in the 1959-60 and 1960-61 school years.

Special School Districts - Trezevant

1. Private Acts of 1915, Chapter 667, created the Trezevant Special School District out of part of the 2nd civil district in Carroll County. The board of directors for the school district consisted of five members. The first board members were B. H. Hillsman, Elmer T. Sparks, John G. Holmes, W. J. Hurdle and C. J. Wingo. The act set out the powers and duties of the board. The act authorized a tax levy of 40¢ on every \$100 of taxable property in the school district, and \$1 poll tax, for the purpose of supporting and maintaining the schools. This act withstood constitutional challenge in Quinn v. Hester, 186 S.W. 459 (Tenn. 1919).
2. Private Acts of 1919, Chapter 634, amended Private Acts of 1915, Chapter 667, to authorize the board of directors of the Trezevant Special School District to adopt any rules necessary for the maintenance and conduct of the school, and to provide for payment of reasonable incidental fees by high school students for the maintenance of the school, provided that the sum did not exceed \$5 per high school student during each three-month term.
3. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt Trezevant Special School District from the act.

4. Private Acts of 1921, Chapter 956, amended Private Acts of 1915, Chapter 667, to lower the property tax rate in Trezevant Special School District to 25¢.
5. Private Acts of 1923, Chapter 439, amended Private Acts of 1915, Chapter 667, to increase the number of board members to six, and to provide for staggered terms.
6. Private Acts of 1945, Chapter 68, validated \$66,000 refunding bonds of Trezevant Special School District and levied a tax of 90¢ per \$100 property valuation to pay the principal and interest on the bonds.
7. Private Acts of 1945, Chapter 99, amended Private Acts of 1915, Chapter 667, to increase the property tax rate in the Trezevant Special School District to 50¢. This act repealed Private Acts of 1921, Chapter 956.
8. Private Acts of 1961, Chapter 347, amended Private Acts of 1951, Chapter 695, to repeal the provision that no property taxes would be imposed in any year that the amount in the special fund for paying the bonds exceeded \$8,000.
9. Private Acts of 1961, Chapter 393, authorized Trezevant Special School District to issue up to \$35,000 funding bonds, bearing interest not exceeding 5% per annum and maturing within 20 years, to provide funds for payment of its operating deficit. A property tax of 50¢ on every \$100 of taxable property was levied to pay the principal and interest on the bonds. The bond issuance was subject to voter approval.
10. Private Acts of 1973, Chapter 90, amended Private Acts of 1915, Chapter 667, as amended, to enlarge Trezevant Special School District to include the 2nd, 3rd and 19th civil districts of Carroll County.
11. Private Acts of 1973, Chapter 91, amended Private Acts of 1915, Chapter 667, as amended, to authorize Trezevant Special School District, by resolution of its board of directors, to borrow up to \$15,000 for up to a five-year term at a maximum annual interest rate of 6%, for capital improvements.
12. Private Acts of 1975, Chapter 180, amended Private Acts of 1915, Chapter 667, as amended, to authorize the board of directors for Trezevant Special School District to set the school tax rate lower than the rate set by private act, but the rate could not be set in excess of any statutory levy. Special levies assessed for the purpose of bond repayment could not be lowered.
13. Private Acts of 1981, Chapter 109 (reproduced hereinabove), created West Carroll Special School District. The new school district included Atwood Special School District and Trezevant Special School District and provided for the suspension of their operations upon formation of the new school district, with the proviso that taxes imposed to repay the outstanding indebtedness of each pre-existing special school district would remain in effect until all debts had been paid.
14. Private Acts of 1981, Chapter 144, amended Private Acts of 1915, Chapter 667, as amended, to increase the tax rate in the Trezevant Special School District to \$2.60 on every \$100 of taxable property in the district.

Special School Districts - Whitthorne

1. Private Acts of 1929, Chapter 844, created a special school district out of a portion of the 20th civil district of Carroll County. The schools in the district were to be under the management and control of the County Board of Education. A tax was levied for the years 1929, 1930, 1931 and 1932, in the amount of 60¢ on every \$100 of taxable property in the district, and \$1 poll tax, to support and maintain the schools in the district. The County Board of Education was authorized to borrow up to \$6,000 to build an elementary school building at Whitthorne, to be paid out of the school tax levied under the act.
2. Private Acts of 1933, Chapter 594, amended Private Acts of 1929, Chapter 844, to change the boundaries of the special school district and place the management of the school district under a five-member board of directors to be popularly elected. The first directors were E. S. Browning, Boyd Little, Omer Douglas, C. C. Arington and W. T. Little. At least two teachers were required in any school with 40 or more pupils. The act also lowered the property tax rate to 40¢, with 15¢ of the tax to be used as a sinking fund to pay the debts of the district and 25¢ to be used for operating the schools. It is curious that this act did not amend the provisions of the 1929 act which imposed the tax only through 1932.
3. Private Acts of 1941, Chapter 526, amended Private Acts of 1929, Chapter 844, and Private Acts of 1933, Chapter 594, to change the boundary of the district to include a portion of the 20th and all of the 6th civil district; to name Bryan Robinson, Clyde Stanford, H. W. Dawson, W. W. Holmes, and A. S. Richardson as directors; to raise the property tax rate from 40¢ to 70¢ and to

strike the provision designating the use of the tax proceeds; and to provide for the relocation of the Whitthorne School after the building was sold to the federal government. This act also failed to amend the provisions of the 1929 act which imposed the tax only through 1932. For a discussion of the transfer of the school property to the federal government, see Carroll County Board of Education v. Caldwell, 162 S.W.2d 391 (Tenn. 1942).

4. Private Acts of 1943, Chapter 96, repealed Private Acts of 1929, Chapter 844, and Private Acts of 1933, Chapter 594, to abolish the Whitthorne Special School District. All assets of the district were to be transferred to the Carroll County Board of Education.

Special School Districts - Yuma

1. Private Acts of 1921, Chapter 27, created Yuma Special School District out of the 13th and 14th civil districts in Carroll County. The board of directors was to consist of five members, each to be popularly elected to a term of two years. The first board members were J. A. Darnell, G. A. Thomason, A. B. Wood, I. J. Belein, J. C. Taylor, C. H. Hester and J. A. Gooch. It is not clear why there were seven members on the five-member board. The powers and duties of the board were specified. A tax was levied in the amount of 15¢ on every \$100 of taxable property in the district, and \$1 poll tax, for the purpose of supporting and maintaining the schools in the district.
2. Private Acts of 1925, Chapter 399, amended Private Acts of 1921, Chapter 27, to place Yuma Special School District under the control of the County Board of Education, and to increase the property tax rate in the district from 15¢ to 50¢ with half the proceeds to be used to pay the outstanding indebtedness of the district.
3. Private Acts of 1935, Chapter 568, amended Private Acts of 1925, Chapter 399, to lower the property tax rate to 25¢ in the Yuma Special School District.
4. Private Acts of 1935 (Ex. Sess.), Chapter 30, amended Private Acts of 1921, Chapter 27, to repeal the special poll tax of \$1 in the Yuma Special School District.
5. Private Acts of 1941, Chapter 302, repealed Private Acts of 1937, Chapter 172, to discontinue the tax because all necessary funds had been raised.

Superintendent or Director of Schools

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

1. Private Acts of 1923, Chapter 136, provided that the Superintendent of Public Instruction would be elected to a two-year term by the qualified voters in Carroll County. This act was repealed by Private Acts of 1927, Chapter 440.
2. Private acts of 1933, Chapter 115, provided that in all counties of the state having a population of not less than 26,100, nor more than 26,150 inhabitants according to the 1930 Federal Census, the county superintendent of public instruction would be elected by the qualified voters of said counties for a term of four years. In the event of a vacancy in office, it would be the duty of the election commission to call a special election to fill the vacancy at said special election.
3. Private Acts of 1951, Chapter 214, although indexed in some publications as applying to Carroll County, applies to counties having a population of "not less than 26,505 nor more than 26,515" according to the 1950 census. The 1950 population of Carroll County was 26,553. No Tennessee county had a 1950 population which fell within the population bracket given in the act. The act provided that vacancies in the office of school superintendent would be filled by the quarterly county court until the next regular election.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Carroll County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1837-38, Chapter 80, established Mt. Pleasant Academy in Carroll County. The first Board of Trustees for the Academy were Pleasant Atkison, Levi S. Woods, Thomas Black, John Woods, James W. Drake and Alexander M. Caldwell. The powers and duties of the trustees were set out in the act.
2. Acts of 1851-52, Chapter 14, authorized the State Comptroller of the Treasury to issue a replacement warrant to Chira Wilder, Carroll County Trustee, for Carroll County's distributive share of school funds for 1851, which amount was \$1,933.52. The original warrant had been lost.
3. Private Acts of 1933, Chapter 174, provided that for special school districts with an assessed valuation of more than \$650,000, the County Trustee for Carroll County was to apportion the

- state and county high school funds among the special school districts based upon the total daily attendance in the high schools each year.
4. Private Acts of 1933, Chapter 619, regulated the payment of school warrants and the use of state school funds in Carroll County due to the pronounced financial depression. The Trustee was required to keep all state school funds in a separate account and to use that money only for payment of school warrants issued between January 1, 1933 and January 1, 1935. After January 1, 1935, any funds remaining in the account could be used to pay warrants issued prior to January 1, 1933.
 5. Private Acts of 1935, Chapter 754, set the poll tax rate in Carroll County at \$1 and prohibited any additional poll tax except those levied under special acts pertaining to school districts. The intent of the act was to prevent the imposition of the additional \$1 poll tax which was levied under general law for school purposes, since the special school districts in Carroll County were collecting poll taxes for schools.
 6. Private Acts of 1951, Chapter 290, created the office of County Supervisor of Maintenance of Educational Properties in Carroll County, to be elected by qualified voters to serve a two year term. The Supervisor's duties included supervision of the maintenance, repair and housing of all equipment used for the transportation of children to and from school. The Supervisor was given purchasing authority up to \$100. The Supervisor's compensation was \$275 per month. Joe Bryant was named to serve as Supervisor until the next election. Before assuming the duties of the office, the Supervisor was required to execute a \$5,000 bond. This act is in conflict with the general law found at T.C.A. § 49-2-203(a)(3), which provides that all personnel necessary to care for school property will be employed by the school board and the school board is responsible for fixing their salaries.

Chapter VII - Elections

Special Election

Locating a State Prison in Carroll County

Private Acts of 2001 Chapter 33

SECTION 1. Upon adoption of a resolution by the county legislative body of Carroll County, a non-binding, advisory referendum of the voters of Carroll County shall be held on whether a state prison should be located in Carroll County. Such question shall be placed on the ballot in a special election to be held on the date fixed in such resolution. Such date shall be not less than fifty (50) days nor more than seventy (70) days subsequent to the date the election commission receives the certified resolution.

Upon adoption of such a resolution, the county legislative body shall send a certified copy of the resolution to the county election commission which shall call and conduct a special election for such purposes after giving notice pursuant to §2-12-111(b) that such an election shall be held. The special election shall be held on the date fixed in the resolution. The county election commission shall place the following question on the ballot:

Should a state prison be located in Carroll County?

FOR _____ AGAINST _____

The qualifications of voters on the question shall be the same as those required for participation in the Carroll County general election.

The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified to the county legislative body.

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

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon

becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

Passed: April 2, 2001.

Elections - Historical Notes

Districts - Reapportionment

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

1. Acts of 1901, Chapter 433, created the 11th civil district in Carroll County out of the former 11th and 25th civil districts.
2. Private Acts of 1923, Chapter 60, changed the line between the 11th and 15th civil districts in Carroll County, transferring the farms of W. W. Williams, B. F. Conyers, F. O. Pendergrass, Herbert Cawthon, Joe Taylor, Lewis Owen and Henry Nash from the 15th to the 11th civil district.
3. Private Acts of 1935, Chapter 721, changed the line between the 15th and 16th civil districts in Carroll County, transferring a portion of land belonging to Hettie Christian from the 16th to the 15th civil district.
4. Private Acts of 1939, Chapter 562, changed the line between the 2nd and 19th civil districts in Carroll County, placing in the 2nd civil district the land lying west of Austin Peay Highway and south of the Obion River until it meets Reedy Creek.
5. Private Acts of 1941, Chapter 477, changed the line between the 15th and the 16th civil districts in Carroll County.
6. Private Acts of 1941, Chapter 490, changed the line between the 5th and the 19th civil districts in Carroll County, transferring approximately 21 acres to the 19th civil district.
7. Private Acts of 1963, Chapter 80, changed the line between the 6th and the 20th civil districts in Carroll County, transferring a tract of land to the 20th civil district.

Elections

The following is a listing of acts for Carroll County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1821, Chapter 46, placed Carroll County in a state senatorial district with Henderson, Stewart, Humphreys, Perry and Henry Counties. The polls would be compared at Reynoldsborough in Humphreys County.
2. Public Acts of 1822, Chapter 1, divided Tennessee into nine U. S. Congressional Districts. Carroll County was placed in the 9th District, along with the counties of Wayne, Hardin, Lawrence, Perry, Henry, Henderson, Madison, Shelby, and such other counties as might be formed west of the Tennessee River.
3. Public Acts of 1823, Chapter 47, divided Tennessee into eleven electoral districts. The 11th District was composed of Wayne, Hardin, Perry and all counties west of the Tennessee River (which included Carroll County). The 11th District would choose one elector.
4. Public Acts of 1824, Chapter 1, was very similar to Public Acts of 1823, Chapter 47, assigning the same counties to the 11th Electoral District to choose one elector. The electors were to convene at Murfreesborough, Rutherford County, to vote for President and Vice-President of the United States.
5. Public Acts of 1826, Chapter 3, apportioned the state for representation in the General Assembly into 20 Senatorial and 40 Representative Districts. One Senator would be elected jointly by Carroll, Henry, Weakley, Obion, Gibson and Dyer Counties. Carroll, Gibson, Obion and Dyer Counties would elect one Representative jointly.
6. Public Acts of 1827, Chapter 17, divided the state into eleven electoral districts, placing Carroll County in the 11th Electoral District along with the counties of Henderson, Henry, Weakley, Obion, Gibson, Dyer, Madison, Haywood, Tipton, McNairy, Hardeman, Fayette and Shelby.
7. Public Acts of 1832, Chapter 4, divided Tennessee into thirteen U.S. Congressional Districts, placing Carroll County in the 12th District along with the counties of Henry, Haywood, Madison, Dyer, Obion, Gibson and Weakley.
8. Public Acts of 1832, Chapter 9, divided the state into 15 electoral districts. Carroll County was placed in the 15th District along with the counties of Henry, Weakley, Obion, Dyer, Gibson, Tipton

and Haywood. Each district would choose one elector to vote for President and Vice-President of the United States.

9. Public Acts of 1833, Chapter 71, reapportioned the state for the General Assembly which would be composed of 20 Senators and 40 Representatives. The counties of Carroll, Henry, Weakley and Obion would elect one Senator and Carroll, Henry and Madison Counties would elect one Representative.
10. Public Acts of 1833, Chapter 76, provided for the election of 60 delegates to the state constitutional convention. Carroll County would elect one delegate.
11. Public Acts of 1835-36, Chapter 39, divided the state into fifteen electoral districts. Carroll County was placed in the 15th District along with the counties of Henry, Weakley, Obion, Dyer, Gibson, Tipton and Haywood.
12. Acts of 1839-40, Chapter 79, provided that each U.S. Congressional District would constitute an Electoral District from which one elector would be chosen, and that there would be two at-large electors. Qualified voters in the state could vote for all fifteen electors.
13. Acts of 1842 (2nd Sess.), Chapter 1, apportioned the state for the General Assembly into twenty-five senatorial districts and fifty representative districts. Gibson, Carroll and Dyer Counties made up the 22nd Senatorial District with the polls being counted at Trenton. The act provided for Carroll County to elect one Representative and the polls to be counted at the courthouse in Huntingdon. This act was repealed by Public Acts of 1978, Chapter 597.
14. Acts of 1842 (2nd Sess.), Chapter 7, provided for eleven U.S. Congressional Districts in Tennessee. Carroll, Perry, Henderson, Madison, Gibson, Weakley and Obion Counties composed the 11th Congressional District.
15. Acts of 1851-52, Chapter 196, formed ten U.S. Congressional Districts in Tennessee. The counties of Carroll, Henry, Weakley, Dyer, Obion, Lauderdale, Tipton, Gibson and Henderson were assigned to the 9th District.
16. Acts of 1851-52, Chapter 197, apportioned the state for representation in the General Assembly. Carroll County would elect one Representative alone and one Representative jointly with the counties of Gibson, Madison and Henry. Carroll, Gibson and Dyer Counties would compose one senatorial district.
17. Public Acts of 1865, Chapter 34, divided Tennessee into eight U.S. Congressional Districts. The 7th U. S. Congressional District consisted of Carroll, Benton, Henry, Weakley, Obion, Dyer, Gibson, Lauderdale and Henderson Counties.
18. Public Acts of 1869-70, Chapter 105, authorized a referendum on the third Saturday of December 1869, on the proposed calling of a constitutional convention to amend, revise or form a new state constitution. The ballots would state simply "Convention" or "No Convention". There would be seventy-five delegates, to be elected in the same manner as Representatives to the General Assembly. The delegates would convene in Nashville on the second Monday in January, 1870.
19. Public Acts of 1871, Chapter 146, reapportioned Tennessee for the General Assembly. Carroll County would elect one of the 50 Representatives, and Carroll, Gibson, Henry and Weakly Counties would jointly elect one Representative. Carroll and Gibson Counties composed the 19th Senatorial District which would elect one state Senator.
20. Acts of 1872 (Ex. Sess.), Chapter 7, created nine U.S. Congressional Districts in Tennessee, with Carroll, Henry, Montgomery, Houston, Stewart, Humphreys, Benton, Henderson, Decatur, Perry, Hardin, and McNairy counties making up the 7th District.
21. Public Acts of 1873, Chapter 27, added a tenth U.S. Congressional District to the state and rearranged the counties assigned to each district. The 8th District contained Carroll, Henry, Benton, Perry, Decatur, Hardin, McNairy, Henderson and Madison Counties.
22. Public Acts of 1881 (Ex. Sess.), Chapter 5, fixed the number of Senators in the General Assembly at 33 and the number of Representatives at 99.
23. Public Acts of 1881 (Ex. Sess.), Chapter 6, provided that Carroll County would elect one Representative, and placed Carroll County in the 26th Senatorial District, along with Benton and Decatur Counties, to elect one Senator.
24. Public Acts of 1882 (Ex. Sess.), Chapter 27, divided Tennessee into ten U. S. Congressional Districts. Carroll, Henry, Benton, Perry, Decatur, Hardin, McNairy, Henderson and Madison Counties composed the 8th District.
25. Public Acts of 1891, Chapter 131, apportioned the state into ten U. S. Congressional Districts.

- Carroll County remained in the 8th District along with the counties of Henderson, Henry, Benton, Perry, Decatur, Hardin, McNairy, Madison and Chester.
26. Acts of 1891 (Ex. Sess.), Chapter 10, provided that Carroll County would elect one state Representative and would elect another Representative jointly with Weakley County. Carroll and Henry Counties composed the 25th Senatorial District, to elect one state Senator.
 27. Acts of 1901, Chapter 109, divided the state into ten U. S. Congressional Districts. The 8th District was composed of Carroll, Henry, Benton, Perry, Decatur, Henderson, Chester, Madison, McNairy and Hardin Counties.
 28. Acts of 1901, Chapter 122, apportioned the state for representation in the General Assembly. Henry and Carroll Counties made up the 24th Senatorial District. Carroll County would elect one Representative, and Carroll, Henry and Weakley Counties would jointly elect one Representative.
 29. Private Acts of 1919, Chapter 732, directed the Election Commissioners in Carroll County to provide ballot boxes for each voting precinct in the county and for voting precincts in each municipality within Carroll County. Failure to comply with the provisions of this act constituted a misdemeanor carrying a fine between \$25 and \$50.
 30. Private Acts of 1933, Chapter 616, provided that those political parties who cast more than 10% of the ballots in the last preceding presidential election would nominate their candidates for Carroll County offices by means of a county primary. This act was repealed by Private Acts of 1937, Chapter 25.
 31. Private Acts of 1947, Chapter 71, set the compensation of judges, clerks, registrars, markers and other officials conducting elections in Carroll County at \$4 per day, for one day only.
 32. Private Acts of 1949, Chapter 733, provided for a compulsory primary election on the second Thursday in April for the majority political party, which was defined as the Republican party, to nominate candidates for all county offices elected by the county at large. The act also created a Primary Board to conduct the county primary election for the majority political party, consisting of the following five members: Norville Sparks, Warren Carter, Adrain Cary, Earsley Fry and Lael Brinkley. This act was repealed by Private Acts of 1951, Chapter 3.
 33. Private Acts of 1951, Chapter 166, created a voting precinct at the Spanish Grove Schoolhouse in the 18th civil district of Carroll County.

Chapter VIII - Health

Trust Fund to Assist Medically Indigent

Private Acts of 1983 Chapter 42

SECTION 1. In counties of this state having a population of not less than 28,285 and no more than 28,385, according to the Federal Census of 1980 or any subsequent Federal Census, are empowered to create a perpetual trust fund for the purpose of assisting the medically indigent in such counties in paying for their in-patient and out-patient hospital care and ambulance service rendered to them by not-for-profit hospital and ambulance facilities located within such counties.

SECTION 2. That such trust fund shall be managed and governed by a board of trustees consisting of nine (9) citizens of the county who shall be appointed as follows:

The County Executive of the county shall recommend to the County Legislative Body for its ratification three (3) trustees; three (3) nominees for the office of trustee shall be recommended to the County Legislative Body by the not-for-profit hospitals and health care facilities operating within such county for ratification by the Legislative Body, and these six (6) shall submit another slate of three (3) trustees to the Legislative Body for ratification and approval.

The term of office of the initial trustees shall be: Three (3) trustees, one each appointed by the three methods set forth above, shall serve for a three-year term. Three (3) trustees appointed in a like manner shall serve for a two-year term. Three (3) trustees appointed in a like manner shall serve for a one-year term. In such [sic] succeeding year, one each in a like manner as set forth above for the original board of trustees whose term of office shall be for three (3) years, and such new trustee shall be subject to the approval and ratification of the Legislative Body of the county. In no event, shall there be more than two

(2) trustees from any one magisterial district and not more than two (2) from any one district.

SECTION 3. That in the event of death, resignation or disability of a trustee or other inability to continue to serve, and upon notice of such being given to the County Executive by the Board of Trustees, the County Executive shall nominate a person to fill the unexpired vacancy and submit his name to the County Legislative Body for ratification and confirmation.

SECTION 4. That the general purpose of such trust fund shall be:

A. To assist the medically indigent in such counties in paying for their in-patient and out-patient hospital care and ambulance services rendered to them for [sic] not-for-profit hospital and ambulance facilities or entities in such counties.

B. Promoting health education in the community by supporting, sponsoring, financing or otherwise assisting in the establishment or carrying out of community health education programs in cooperation or in conjunction with not-for-profit hospitals within such counties and physicians, including without limitation, programs relating to disease, accident and injury prevention, cardiopulmonary resuscitation, first aid and programs and practices in an effort to raise the level or standards of health in such counties.

C. Acquiring or otherwise assisting in providing diagnostic, therapeutic and other medical and related equipment, implements, instruments and aids for the use or for the benefit of the medically indigent of such counties who are in need thereof.

SECTION 5. That, in addition to those duties and responsibilities imposed upon fiduciaries by general law, the board of trustees shall be vested with the following responsibilities:

A. To invest the said funds at the highest and best practical return of income.

B. To use said income to carry out the purposes of the fund as heretofore set forth in Section 4.

C. To establish a screening committee to determine the medical indigency of applicants and to recommend payment for their benefit as contemplated herein, provided, however, that the Legislative Body of such counties shall have the right based upon material evidence to reverse a determination of medical indigency by such screening committee.

SECTION 6. That the board of trustees in carrying out the duties and responsibilities of the management of said fund shall have the right to expend only the income derived from the principal of said fund. In determining all questions of principal and income, the uniform principal and income act in force in the State of Tennessee shall be controlling. Provided, however, the trustees may encroach upon the principal of the fund when they deem it advisable or necessary by making application to the Legislative Body setting forth the amount of principal desired to be expended and the purpose for such expenditures and upon such request being approved by a three-fourths (3/4) vote of the County Legislative Body.

SECTION 7. That the trustees provided for herein shall act without compensation but they are specifically empowered to employ financial advisors and such clerical employees as they deem necessary to carry out the functions and purposes of the fund. The board of trustees is authorized to fix the salaries of such clerical employees and to negotiate the fees of the necessary financial advisors provided for herein.

SECTION 8. That the board of trustees shall, on a semi-annual basis, provide the County Legislative Body with a complete financial statement, accurately reflecting the condition of the fund and the investments then made.

SECTION 9. That the County Legislative Body or governing body of each county to which this Act applies is authorized and empowered in its discretion to appropriate from the general fund of such counties sums of money as it deems appropriate to constitute the principal of the trust fund herein created and to this end such County Legislative Body may, by resolution transfer to the principal of the trust fund herein created the proceeds of the lease or sale of any property owned by the county as a means of funding, within six (6) months from and after its approval.

SECTION 10. That this Act shall have no effect unless the same shall have been approved by two-thirds (2/3) vote of the County Legislative Body of any county to which it may apply within six (6) months from and after its approval by the Chief Executive of this state, or after its otherwise effective date. Its approval or nonapproval shall be proclaimed by the presiding officer of the body having jurisdiction to approve, and shall be certified by him to the Secretary of State.

SECTION 11. That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 10 herein.

Passed: March 17, 1983.

Health - Historical Notes

Health

The following summaries are included herein for reference purposes.

1. Private Acts of 1935, Chapter 753, required the State Board of Pharmacist Examiners to issue licenses to practice pharmacy to persons in Carroll County who were at least 26 years of age and had studied and trained under a registered pharmacist in Tennessee for at least 8 years.
2. Private Acts of 1945, Chapter 480, authorized Joe DeWitt, who had been practicing veterinary medicine and surgery for over 15 years, to continue to practice veterinary medicine in Carroll County without any further authority than this act.
3. Private Acts of 1945, Chapter 481, authorized Henry Joyner, who had been practicing veterinary medicine and surgery for over 20 years, to continue to practice veterinary medicine in Carroll County without any further authority than this act.
4. Private Acts of 1945, Chapter 482, authorized W. S. Butler, who had been practicing veterinary medicine and surgery for over 30 years, to continue to practice veterinary medicine in Carroll County without any further authority than this act.
5. Private Acts of 1965, Chapter 43, created a five-member Carroll County General Hospital Board of Trustees in the town of Huntingdon. The Trustees would serve for a term of three years. The Trustees would have full charge of the operation and maintenance of the Carroll County General Hospital. The act set out the duties of the Trustees, which included selection and approval of the medical staff. The Trustees were to employ and appoint a Hospital Administrator, whose duties were set out in the act. The act authorized the Quarterly County Court to levy a property tax in Carroll County for the operation of the hospital.
6. Private Acts of 1972, Chapter 340, amended Private Acts of 1965, Chapter 43, to increase the term of the Trustees to five years.
7. Private Acts of 1983, Chapter 41, repealed Private Acts of 1965, Chapter 43, and Private Acts of 1972, Chapter 340.

Chapter IX - Highways and Roads

Road Law

Private Acts of 1986 Chapter 148

SECTION 1. There is hereby created and established a County Highway Commission for Carroll County. The Commission shall be composed of two (2) members who shall be called Road Supervisors, together with the County Mayor who shall, in his official capacity as the financial agent of Carroll County, serve as chairman of the County Highway Commission and preside over the meetings of the Commission. The Road Supervisors shall function as the chief administrative officers of the Highway Department for purposes of the County Uniform Highway Law, codified at Tennessee Code Annotated, Title 54, Chapter 7, Parts 1 and 2. The County Mayor, acting as chairman of the Commission, shall not be entitled or empowered to cast a vote in the deliberations of the Commission except for the purpose of breaking a tie vote. The chairman shall have the authority to call special meetings.

For the purpose of this Act, Carroll County shall be divided into two (2) Road Districts, based upon voting precincts in the County of Carroll, as follows:

ROAD DISTRICT No. 1 shall be composed of the following voting precincts:

- 1 Lavinia
- 2 Trezevant
- 5 Cedar Grove
- 6 Clarksburg
- 11 Buena Vista
- 16 Atwood
- 19 Concord
- 20 Westport

ROAD DISTRICT No. 2 shall be composed of the following voting precincts:

- 4 McLemoresville
- 7 Macedonia
- 8 Civic Center
- 9 Huntingdon City Hall
- 12 Bruceton
- 13 Hollow Rock
- 14 Vale
- 17 McKenzie Senior Citizens
- 18 Cannon
- 21 Bethel
- 22 McKenzie City Hall

In order to qualify for the office of Road Supervisor, who shall also function as chief administrative officer in either of the above road districts, a person shall:

- (1) Be a graduate of an accredited school of engineering, with at least two (2) years of experience in highway construction or maintenance;
- (2) Be licensed to practice engineering in Tennessee; or
- (3) Have had at least four (4) years' experience in a supervisory capacity in highway construction or maintenance; or a combination of education and experience equivalent to subdivision (a)(1) or (a)(2), as evidenced by affidavits filed with the Tennessee Highway Officials Certification Board ("Board").

In no event shall the Road Supervisor have less than a high school education or a general equivalency diploma ("GED").

Incumbent Road Supervisors in office on December 31, 2012, who have met the qualifications for the office of Road Supervisor applicable to them in effect at the time of their last election shall be able to succeed themselves in office without meeting the qualifications set forth in this section for as long as such incumbents continuously hold office. If such incumbent leaves office for any reason and then subsequently is elected or appointed to the office of Road Supervisor, such incumbent shall then be subject to the qualifications set forth in this section.

Satisfactory evidence of graduation from an accredited school of engineering shall be in the form of a diploma, transcript or other official documentation. Evidence of a candidate's engineering licensure shall only be deemed to be satisfied if the candidate can provide the Board with a copy of the candidate's engineering license, including the candidate's license number. Any provision in this section requiring a Road Supervisor to have a high school diploma or GED shall only be deemed to be satisfied if the candidate can demonstrate that the candidate has obtained a high school diploma or its equivalent in educational training as recognized by the state board of education by providing the Board with the candidate's diploma, GED certificate or other official documentation.

Carroll County shall send a copy of this Act to the Board, which Board has and shall exercise the power to review the qualifications of all candidates for elected positions as chief administrative officer of the highway department pursuant to Tennessee Code Annotated, Section 54-7-104. Candidates for the office of Road Supervisor where the position is filled by popular election shall file affidavits and other evidence the Board requires with the Board not later than fourteen (14) days prior to the qualifying deadline for candidates in the election. After review of the applicable qualifications and standards, the Board shall certify to the coordinator of elections that a candidate's qualifications are acceptable prior to the candidate's name being placed on the ballot. The coordinator of elections shall forward the certification to the appropriate county election commission. A certificate of qualification from the Board shall be filed with the candidate's qualifying petition prior to the qualifying deadline. Notwithstanding any law to the contrary, votes for write-in candidates, whether in a primary convention or general election, shall only be counted for an individual who has been certified by the Board prior to the date of the election. Persons wishing to receive a party nomination or to be elected by write-in ballot must file with the Board affidavits and other evidence the Board requires not later than sixty-four (64) days prior to the election.

At the regular general election to be held on the first Thursday in August 2014, and every four (4) years thereafter, the people qualified to vote within a Road District shall elect from qualified candidates who reside in that Road District, a Road Supervisor to serve a term of four (4) years or until a successor has been elected and qualified. The persons who presently serve as Highway Commissioners shall serve as such until September 1, 2014 or until the Road Supervisors to be elected in the general election on the first Thursday in August of 2014 have been elected and qualified. No person shall be eligible to be elected as a Road Supervisor of a Road District unless he is a resident of such Road District. No member of the County Legislative Body shall be eligible to be elected as a Road Supervisor. Candidates for Road

Supervisor shall be nominated in the same manner as candidates for other county offices.

Road Supervisors are expressly prohibited from being interested, either directly or indirectly, financially or otherwise, in the letting or acceptance of any contract, the sale of any material, or in the purchase of any tools, machinery, equipment, supplies, or appliances of any kind by the County Highway Commission and are subject to the prohibitions and penalties set forth in Tennessee Code Annotated, Section 54-7-203. If a Road Supervisor violates these prohibitions against conflict of interest, he shall be removed from office by the County Legislative Body in the manner required by the ouster provisions codified at Tennessee Code Annotated, Title 8, Chapter 47.

If a Road Supervisor ceases to be a resident of the Road District for which he is elected, moves out of the County, vacates his office for any other reason, or becomes disqualified to serve, the County Legislative Body shall declare his office to be vacant and shall elect in its first meeting, after such vacancy occurs, a Road Supervisor to fill the office until the expiration of the term.

As amended by: Private Acts of 2013, Chapter 2

SECTION 2. Each Road Supervisor shall be responsible for the building, maintenance, and repair of that part of the road system in his Road District, except that it shall not be his duty or responsibility to maintain or repair any roads or road systems which are classified as state or federal roads.

Each Road Supervisor shall supervise the actual work and labor upon the roads, bridges, and levees within his District.

Each Road Supervisor shall, within his District, exercise complete power and authority to employ or discharge all employees or laborers as may be deemed necessary by him for the building, maintenance, and repair of all roads, bridges, culverts, and levees.

The Road Supervisors shall check the time clock each day to make certain that all employees are at work. The Road Supervisors shall authorize a secretary to perform this duty in an efficient manner. The secretary shall maintain a complete record of such information for each Road Supervisor in permanent record books or ledgers which are suitable for this purpose.

Under no circumstances shall any Road Supervisor under the provisions of this Act enter into any contract or agreement of contract for the purchase of any equipment, machinery, supplies, repairs, or any other item of purchase of any character or kind, but all purchases which may be required within his district shall be submitted in proper form on requisition and purchase order to the Chairman of the Highway Commission.

The Road Supervisors shall be held accountable to the Carroll County Legislative Body for the efficient and faithful performance of their duties.

Each member of the County Highway Commission shall, before entering upon his duties, take and subscribe to a suitable oath for the faithful performance of his duties, and each shall execute a good and solvent bond upon assuming the duties of his office, which bond shall be in the penal amount of five thousand dollars (\$5,000), conditioned upon the faithful discharge of his responsibilities and made payable to the State of Tennessee for the use and benefit of Carroll County, Tennessee.

As full pay and compensation for their services, the members of the County Highway Commission shall be paid an amount per year as set forth in the annual budget by the Carroll County Legislative Body, which shall be paid by warrant drawn against the General Road Fund of Carroll County.

It shall be the duty of the Road Supervisor to prepare and submit to the County Legislative Body, and to the Department of Transportation, an annual work program to be financed under the state aid assistance program.

As amended by: Private Acts of 2013, Chapter 2

SECTION 3. The Highway Commission may enter into any contract for the construction, maintenance or improvement of any road or bridge, or any other kind of road work, and it shall be the Commission's duty to see that all contracts are properly carried out. In letting contracts for any and all kinds of road work, the Commission shall take due precaution to see that the interest of the County is preserved. It shall take bond of any contractor. All machinery, tools, supplies, and equipment of any nature shall be bought according to the Purchasing Law of Carroll County. All bids requiring competitive bids shall be sealed and submitted to the County Highway Commission at its office, and they shall be opened and announced by the Commission in the presence of a majority of its members at the hour and date stated in the advertisement. Any citizen shall be entitled to be present at the opening of such bids and to inspect them. All such purchases shall be awarded to the lowest bidder or bidders where such bidder offers materials of suitable quality and quantity. If the bids so submitted are deemed excessive or otherwise unsatisfactory, the Commission shall have authority to reject all bids and advertise again in the same manner for new bids. Any purchases made without compliance with the Purchasing Law of Carroll County shall be illegal, void and unenforceable, except in genuine cases of emergency where it is necessary to purchase materials or parts speedily to avoid great inconvenience to the public. The Commission shall

also have authority to enter into any contract or agreement with the Department of Transportation of the State of Tennessee for the construction of any County road and may enter into contract or agreement with the United States Department of Transportation. It shall be the Commission's duty to cooperate with and encourage the expenditure of any state and federal road funds in Carroll County and it may appropriate any funds at its disposal for any kind of road work in Carroll County to be expended under the direction of the Federal or the State Departments of Transportation. Any Road Supervisor who violates any provision of the Purchasing Law of Carroll County shall be guilty of a misdemeanor and punishable under the criminal laws of the State and shall be subject to ouster from office under the ouster laws of this State.

SECTION 4. The members of the Carroll County Legislative Body are expressly authorized and empowered to set forth the hourly wages of the employees of the Carroll County Highway Department in the annual Highway Department budget for each fiscal year.

SECTION 5. The members of the Highway Commission shall keep a time book and a daily card checking system upon which the name of each employee of the Highway Commission shall appear together with his hourly wage, the kind of work done, where such labor was performed, and the number of hours of labor actually performed per pay period. The Road Supervisors shall report this detailed information each pay period to the Chairman of the Highway Commission who shall approve the report if it is correct and shall cause checks or vouchers to be issued out of the General Road Fund of Carroll County in payment for the work done and shall cause proper entries to be made in the permanent books of the Highway Commission.

For the purpose of this Act, a working day is defined to be eight (8) working hours.

SECTION 6. The County Highway Commission and the Highway Committee may lay out and classify all public roads of Carroll County, divide the roads into sections or divisions as may be necessary and proper for their efficient construction and maintenance, and make or have made a map or maps of all roads, highways, bridges, culverts and levees within the Carroll County Road System, all of which shall be preserved and kept in well-bound permanent record books which are suitable for this purpose.

The Carroll County Highway Commission and Highway Committee shall have the right to open, close, change, restore, or widen any of the public roads of the County and to procure rights-of-way for such roads, either by purchase, gift, or condemnation. In the event that any right-of-way shall be procured by purchase or gift, deed shall be taken to such right-of-way in the name of Carroll County, and the deed shall be duly recorded. If a right-of-way is not secured by purchase or gift, the County Highway Commission shall vote to condemn such right-of-way, and the County shall proceed with condemnation proceedings in the form and manner now laid down in the general laws of the State of Tennessee which govern such matters.

SECTION 7. Any and all monies, taxes, fees, or other revenues from whatever source belonging to the road or highway funds of Carroll County, together with Carroll County's apportionment of the gasoline tax from the State of Tennessee, shall be paid into the hands of the Trustee of Carroll County who shall account for such funds and deposit them in an account kept separate and apart from all other funds, to be known and designated as the General Road Fund of Carroll County.

The County Trustee shall under no circumstances at any time honor any drafts, checks, or vouchers, or expend or permit to be expended any of the funds deposited in the General Road Fund unless such expenditure is properly authenticated and authorized upon an order or warrant signed by the County Executive setting out the amount of the expenditure both in words and figures. The County Trustee shall be permitted the same compensation as he is now allowed by law for the handling, receiving and expending of funds of the General Road Fund.

The County Trustee shall, before payment of funds from the General Road Fund of Carroll County, first make certain that each warrant to be paid out of the General Road Fund has been plainly marked with the words "Road Warrant".

The County Highway Commission is hereby expressly authorized and empowered to employ a secretary and bookkeeper. The secretary and bookkeeper shall be paid a salary as set forth by the Carroll County Legislative Body in the annual Highway Department Budget each fiscal year.

Not more than fifty-five percent (55%), nor less than forty percent (40%) of the County Highway Revenues received from the gasoline tax fund can be spent in any one of the two road districts in any fiscal year. Nothing in this section, shall be construed to include funds that may be received from the Federal Government as its participation in any highway project, nor from the State of Tennessee under the State Aid System or from such other funds that may be furnished the County Highway Commission by the State of Tennessee as a participation in the road system in Carroll County which will come from funds other than the gasoline tax.

As amended by:

Private Acts of 2013, Chapter 2

It shall be the duty of the County Legislative Body of Carroll County to investigate thoroughly and

efficiently the County Highway Commission's receipts and disbursements at least once a year and at the end of a Road Supervisor's term of office. The County Legislative Body shall appoint a committee to make this investigation and to report its findings to the County Legislative Body. The expense of any such audit shall be borne out of County Highway Funds.

SECTION 8. It shall be the further duty of the County Highway Commission to meet in open and public session at the Courthouse in Huntingdon on the second Monday in each month for the necessary and proper discussion and solution of whatever problems and questions as may arise in the conduct of the affairs of the County Highway Commission.

SECTION 9. Each Road Supervisor shall, not less than seven (7) days before the first day of each month, make out a full, complete and detailed account of all monies owed by the Highway Commission to the employees under his supervision and control and for all materials and supplies of whatever character and kind. He shall file the report with the Chairman of the Highway Commission.

SECTION 10. The Secretary of the County Highway Department shall before each monthly regular meeting of the Carroll County Legislative Body, make out a simple itemized statement of the amount of work done, the road district in which such work was done, the amount of money spent for each item, such as gas, oil, labor, materials and salaries, and any and all other expenditures, all of which shall be sworn to by the members of the Highway Commission and filed with the County Clerk.

SECTION 11. Chapter 584 of the Public Acts of 1951 as amended by Chapter 323 of the Private Acts of 1957, Chapter 315 of the Private Acts of 1967, Chapter 186 of the Private Acts of 1969, Chapter 258 of the Private Acts of 1972, Chapter 322 of the Private Acts 1974, Chapter 175 of the Private Acts of 1975, Chapter 15 of the Private Acts of 1977, Chapter 309 of the Private Acts of 1978, Chapter 33 of the Private Acts of 1979, Chapter 199 of the Private Acts of 1980, Chapter 42 of the Private Acts of 1981, Chapter 83 of the Private Acts of 1983, Chapter 199 of the Private Acts of 1984, and all other acts amendatory thereto is repealed.

SECTION 12. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Carroll County.

Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 13. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 12.

Passed: March 31, 1986.

Highways and Roads - Historical Notes

Highways and Roads

The following is a listing of acts which once had some effect upon the county road system in Carroll County, but which are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1827, Chapter 120, authorized the Carroll County Court to appoint commissioners to establish toll bridges and causeways, one across Sandy River on the mail route between Nashville and Jackson, one across Beaver Creek at or near Huntingdon, and one across Crooked Creek at or near Flemming's Mill on the road between Huntingdon and Paris. The County Court was authorized to apply the county's navigation tax to the building of bridges and causeways in the county.
2. Private Acts of 1835-36, Chapter 119, appointed David Green, Robert R. Moore and Stephen Eason as additional commissioners on behalf of the state to oversee the operation of the toll bridge and turnpike road across Sandy River and bottom in Carroll County which had been granted to Robert Jetton in 1830.
3. Acts of 1851-52, Chapter 311, authorized the Quarterly County Court in Carroll County to grant a charter to an individual or company to take charge of and keep in order the Huntingdon and Beaver Creek Turnpike Road, extending from the corporate line of Huntingdon one mile on the Jackson Road.
4. Acts of 1901, Chapter 136, was a statewide road law for all counties in Tennessee under 70,000 in population. At its January meeting, the County Court in each county would select one road commissioner for each road district in the county, which districts were coextensive with the

county civil districts. The act detailed the duties of the road commissioners and the road section overseers, who would be appointed by the commissioners. Male residents of the county were subject to road work but could commute the duty by paying a fee. Prisoners of the county were required to work on the roads. A road tax was authorized not to exceed 20¢ on every \$100 of taxable property.

5. Acts of 1907, Chapter 426, applied to both Carroll and Hawkins Counties by population classification, and provided for the election of one road commissioner in each county to serve a two year term and have general supervision over all highways and bridges in his county. Compensation for the road commissioners was set at \$3.50 per day for each day of service, not to exceed one hundred days of service in any one year. A male county resident subject to road duty could be released from those duties by paying 75¢ for every day he was released from duty. The act authorized a tax levy of 10¢ - 20¢ on every \$100 of taxable property outside incorporated towns, for road purposes. This act abolished the office of Road Overseer and assigned the authority and power once held by the Road Overseer to the contractor for each section of highway. Roads were divided into four classes according to width.
6. Private Acts of 1911, Chapter 24, amended Acts of 1907, Chapter 426, to change the population classification to exclude Hawkins County, and to provide that all highways in Carroll County would be worked by contract. Sealed proposals to keep the roads in repair were to be submitted to the County Judge in February of each year. The contract would be awarded to the lowest responsible bidder for a term of one year.
7. Private Acts of 1915, Chapter 642, directed the Quarterly County Court in Carroll County at its July 1915 term to elect a road commissioner for each civil district in the county, to serve until January 1917. At the August 1916 election, the qualified voters in each road district were to elect a commissioner from their district to take office on January 1, 1917 and serve a term of two years. Each road commissioner was empowered to supervise the overseers and contractors and all public roads in his district. All males between the ages of 21 and 50 years of age, not falling within the exclusions set forth in the act, were subject to road duty of five days each year unless they provided a substitute or paid \$1 per day for each day not worked.
8. Private Acts of 1917, Chapter 428, directed the County Court to elect three road commissioners to have general supervision over all highways and bridges in Carroll County. The commissioners were to serve two-year terms and would be paid \$3 per day as compensation for services rendered, not to exceed 35 days of service in any one year. All males between 21 and 50 years of age and not otherwise exempt were subject to road duty for 8-12 days each year, but could be released from duty by paying 50¢ for each day not worked. The act also authorized an ad valorem tax for road purposes on all property in the county and outside the incorporated towns, in an amount not less than 10¢ and not more than 20¢ on every \$100 worth of taxable property. All roads were to be worked by one-year contracts for which sealed bids were required. The act abolished the office of road overseer and assigned to the contractor the duties once held by the road overseer. Roads were divided into four classes according to width.
9. Private Acts of 1919, Chapter 703, directed the county court to elect one road contractor for each for each civil district in Carroll County. The road contractors would serve two-year terms. Roads were to be worked by contract, awarded to the lowest bidder either on sealed bids or by private contract. All males between the ages of 21 and 50 were required to perform road duty 6 days each year, but could be released by paying the Contractor \$2.50 per day. This act authorized a road tax on all property outside of the incorporated towns, in the amount of not less than 10¢ and not more than 20¢ on every \$100 of taxable property. Road commissioners elected under the prior act were allowed to serve until their terms expired.
10. Private Acts of 1921, Chapter 187, directed the county court to elect a road commissioner for each civil district in Carroll County. Each district road commissioner had charge of all the roads and bridges in his civil district. Roads were to be worked by contract, with the road commissioners to award contracts "in such way as they deem best". All males between 21 and 50 years of age were required to perform road duty 6 days each year, but could be released from duty by paying \$1 for each day not worked. No provision was made for a road tax.
11. Private Acts of 1923, Chapter 592, divided Carroll County into 12 road districts and created a 13-member County Highway Board. One member of the board would be elected from each road district and the County Judge would serve as the 13th member and chairman of the board. Board members were to receive \$3 per month as compensation for their services. Roads were to be classified as either county pikes or district roads. The act authorized a road tax not to exceed 5 mills on all taxable property, and levied a road tax of \$4 per person on all male citizens between the ages of 21 and 50. Workhouse prisoners were placed under the control of the board to

- perform road work. The board was given the power of condemnation for road purposes. The board was prohibited from spending more than the funds available from the current year's tax levy and any unexpended funds from prior years.
12. Private Acts of 1925, Chapter 524, divided Carroll County into 24 road districts and created a 25-member County Highway Board composed of one member from each of the 24 road districts and the County Judge, who would serve as chairman. Board members would receive \$3 for each meeting they attended or \$2 per day for services rendered not to exceed nine days or \$18. The County Court was authorized to levy a road tax not to exceed 5 mills upon all taxable property. A road tax of \$6 per capita was assessed on all males between the ages of 21 and 50. A tax of \$5-10 was levied on wagons. The board was given the power of condemnation for road purposes. Competitive bidding was required for road contracts. The board was prohibited from spending more than the funds available from the current year's tax levy and any unexpended funds from prior years. The board was authorized to regulate maximum weight for vehicles on the public roads.
 13. Private Acts of 1927, Chapter 752, abolished the office of district road commissioner and created a "bridge, levee and road commission" composed of three popularly elected members. John Cawhorn, C. B. Kemp and R. L. Bryant were named to serve as commissioners until the next election. The salary of the commissioners was \$25 per month. The County Judge or Chairman was given final authority to over most functions of the commission. All males between 21 and 50 years of age were required to perform road duty for at least 8 days each year, or pay \$6 (75¢ per day not worked). A bridge and levee supervisor was to be elected by the commission upon recommendation of the County Judge or Chairman. The act authorized a road tax not exceeding 50¢ on every \$100 of taxable property. An annual tax was levied on cars (\$3), on trucks and buses (\$5), on wagons with 2 horses or mules (\$5), and on wagons with over 2 horses or mules (\$7).
 14. Private Acts of 1929, Chapter 106, amended Private Acts of 1927, Chapter 752, to repeal the road tax levied on automobiles, buses and trucks.
 15. Private Acts of 1931, Chapter 662, divided Carroll County into three road districts and created a three-member County Highway Commission, with one member to be popularly elected from each road district. The County Judge served as an ex officio member and chairman of the commission. Each commissioner was to receive \$10 per day as compensation for each meeting attended. The commission was authorized to employ a bridge and levee supervisor, to be paid up to \$125 per month. A bridge and levee tax was authorized in an amount up to 40¢ per \$100 property valuation. The commission was also authorized to employ a road supervisor to supervise all work on roads and bridges in the county. The supervisor was to serve a term not over four years with a salary not to exceed \$125 per month. One of the supervisor's essential job qualifications was that he possess a reputation for abstaining from the use of intoxicating liquor. This act was repealed by Private Acts of 1949, Chapter 70.
 16. Private Acts of 1933, Chapter 579, divided Carroll County into two road districts and created a County Highway Commission composed of one member popularly elected from each district, and the County Judge serving as an ex officio member and chairman. Each commissioner was to receive 40¢ per hour as compensation, not to exceed 10 hours per day. The commission was authorized to employ no more than one road foreman for every two civil districts within a road district. The road foremen would be paid \$2 per day, and could employ laborers to be paid \$1.50 per day. All males between the ages of 21 and 50, living outside incorporated cities and towns, were required to work on the roads for three 8-hour days each year or pay \$4. The commission was authorized to employ a secretary at a salary of up to \$60. This act was held unconstitutional in Traywick v. Gilkey, 71 S.W.2d 676 (Tenn. 1934).
 17. Private Acts of 1937, Chapter 26, amended Private Acts of 1931, Chapter 662, to repeal the provisions which authorized the employment of a bridge and levee supervisor and which authorized the Carroll County Court to levy a tax for bridge and levee purposes.
 18. Private Acts of 1937, Chapter 459, amended Private Acts of 1931, Chapter 662, to increase the maximum salary of the road supervisor to \$150 per month and the maximum age for the position to 70.
 19. Private Acts of 1939, Chapter 595, amended Private Acts of 1931, Chapter 662, to require competitive bids, with the purchase to be made from the lowest bidder, for all purchases of \$50 or more. This act was repealed by Private Acts of 1947, Chapter 218.
 20. Private Acts of 1947, Chapter 268, amended Private Acts of 1931, Chapter 662, to increase the maximum salary of the road supervisor to \$175 per month and the maximum compensation of

road laborers to 60¢ per hour.

21. Private Acts of 1949, Chapter 70, repealed Private Acts of 1931, Chapter 662.
22. Private Acts of 1949, Chapter 106, divided Carroll County into five road districts and created a County Highway Commission composed of six members serving two-year terms. One commissioner would be popularly elected from each road district and one commissioner, who would serve as chairman, would be elected by the county at large. Each commissioner was to receive \$10 per day for each meeting attended, not to exceed twenty days in any one year. The office of road supervisor was created, to be elected by the qualified voters in the county, and to be paid \$2,400 per year. Competitive bidding with sealed bids was required for purchases over \$100. This act was repealed by Private Acts of 1951, Chapter 5.
23. Private Acts of 1951, Chapter 141, divided Carroll County into four road districts and created a County Highway Commission composed of four members, with one commissioner to be elected from each road district, and the County Judge to serve as chairman. Neal Traywick, James Otis Cawthan, Ben Smith and Edd Pritchard were named to serve as the first members of the commission. The commissioners were responsible for maintenance, building and repair of the road system within their respective districts and were paid \$200 per month as compensation for their services. Separate accounts were required to be maintained for each road district. The act authorized the commission to employ a bridge and levee supervisor to be paid \$1.10 per hour, not to exceed \$175 per month. The commissioners were required to work on the roads in their districts in the same manner as any other employee.
24. Private Acts of 1951, Chapter 584, was nearly identical to Private Acts of 1951, Chapter 141, dividing the county into the same four road districts and naming the same persons to serve as commissioners, except that this act did not require that separate accounts be maintained for each road district. This act was repealed by Private Acts of 1986, Chapter 148.
25. Private Acts of 1957, Chapter 323, amended Private Acts of 1951, Chapter 584, to eliminate the position of road supervisor. The act also required that vacancies on the County Highway Commission be filled by the Quarterly County Court, and that purchases over \$250 be made by sealed competitive bids. The commission was prohibited from incurring indebtedness in excess of \$40,000. The hourly compensation of manual laborers was raised to \$1.50 per hour. Gasoline tax revenues were required to be apportioned among the road districts so that no more than 30% and no less than 20% of those funds could be spent in any one district in any year. The Quarterly County Court was required to perform an investigation of the receipts and disbursements of the highway commission each year, and an audit was authorized every two years. This act was repealed by Private Acts of 1986, Chapter 148.
26. Private Acts of 1959, Chapter 133, would have repealed Private Acts of 1951, Chapter 584, divided the Carroll County into five road districts, and created a five-member County Highway Department with the County Judge as an ex officio member, but this act was rejected by the Quarterly County Court and never became effective law. Even though it was never effective, Section 10 of this act was repealed by Private Acts of 1975, Chapter 23.
27. Private Acts of 1967-68, Chapter 315, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$300 per month, and the secretary/bookkeeper to \$250 per month. This act was repealed by Private Acts of 1986, Chapter 148.
28. Private Acts of 1969, Chapter 186, amended Private Acts of 1951, Chapter 584, to increase the compensation of the road laborers to \$1.75 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
29. Private Acts of 1972, Chapter 258, amended Private Acts of 1951, Chapter 584, to increase the compensation of the road laborers to \$2 per hour, the members of the highway commission to \$400 per month, and the secretary/bookkeeper to \$350 per month. This act was repealed by Private Acts of 1986, Chapter 148.
30. Private Acts of 1974, Chapter 322, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$450 per month and the secretary/bookkeeper to \$400 per month. This act also provided that janitors would be paid no more than \$1.50 per hour, truck operators and bridge crew helpers no more than \$2.25 per hour, bridge crew foremen no more than \$2.30 per hour, and machine operators and mechanics no more than \$2.50 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
31. Private Acts of 1974, Chapter 351, would have authorized the Quarterly County Court of Carroll County to appoint a chief administrative officer or county road supervisor for Carroll County, to serve pursuant to the County Uniform Road Law of 1974, but the act failed to receive approval

and never became effective law.

32. Private Acts of 1975, Chapter 175, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$500 per month and the secretary/bookkeeper to \$450 per month, and to raise the hourly wages of truck operators and bridge crew helpers to \$2.50 per hour, bridge crew foremen to \$2.55, and mechanics and heavy equipment operators to \$2.75 per hour. Mechanic helpers and shop assistants would be paid no more than \$2.50 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
33. Private Acts of 1977, Chapter 15, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$600 per month, the secretary/bookkeeper to \$550 per month, janitors to \$2 per hour, truck operators and bridge crew helpers to \$3 per hour, bridge crew foremen to \$3.05 per hour, mechanics and heavy equipment operators to \$3.25 per hour, and mechanic helpers and shop assistants to \$3 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
34. Private Acts of 1978, Chapter 243, amended Private Acts of 1951, Chapter 584, to lower the compensation of the road commissioners to \$550 per month and the secretary/bookkeeper to \$500 per month, and to increase the compensation of truck operators and bridge crew helpers to \$3.25 per hour, bridge crew foremen to \$3.30 per hour, mechanics and heavy equipment operators to \$3.50 per hour, and mechanic helpers and shop assistants to \$3.25 per hour. The reduction in salary for the commissioners and secretary/bookkeeper apparently was in error, because this act was repealed by Private Acts of 1978, Chapter 309, summarized below.
35. Private Acts of 1978, Chapter 309, repealed Private Acts of 1978, Chapter 243, and amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$650 per month, the secretary/bookkeeper to \$600 per month, truck operators and bridge crew helpers to \$3.25 per hour, bridge crew foremen to \$3.30 per hour, mechanics and heavy equipment operators to \$3.50 per hour, and mechanic helpers and shop assistants \$3.25 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
36. Private Acts of 1979, Chapter 33, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$700 per month, the secretary/bookkeeper to \$650 per month, truck operators and bridge crew helpers to \$3.50 per hour, bridge crew foremen to \$3.55 per hour, mechanics and heavy equipment operators to \$3.75 per hour, and mechanic helpers and shop assistants \$3.50 per hour. Shovel operators at the gravel pit would be paid no more than \$5 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
37. Private Acts of 1980, Chapter 199, would have amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners, the secretary/bookkeeper, and the various operators, crew members, foremen, mechanics and assistants, but this act was disapproved by the county legislative body and never became effective law. Even though it was never effective, this act was repealed by Private Acts of 1986, Chapter 148.
38. Private Acts of 1981, Chapter 42, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$750 per month, the secretary/bookkeeper to \$700 per month, truck operators and bridge crew helpers to \$4 per hour, bridge crew foremen to \$4.05 per hour, mechanics and heavy equipment operators to \$4.25 per hour, shovel operators at the gravel pit to \$5.50 per hour, and mechanic helpers and shop assistants to \$4 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
39. Private Acts of 1983, Chapter 83, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$800 per month, the secretary/bookkeeper to \$750 per month, truck operators and bridge crew helpers to \$4.25 per hour, bridge crew foremen to \$4.30 per hour, mechanics and heavy equipment operators to \$4.50 per hour, shovel operators at the gravel pit to \$5.75 per hour, and mechanic helpers and shop assistants to \$4.25 per hour. This act was repealed by Private Acts of 1986, Chapter 148.
40. Private Acts of 1984, Chapter 199, amended Private Acts of 1951, Chapter 584, to increase the compensation of the highway commissioners to \$850 per month, the secretary/bookkeeper to \$800 per month, truck operators and bridge crew helpers to \$4.50 per hour, bridge crew foremen to \$4.55 per hour, mechanics and heavy equipment operators to \$4.75 per hour, shovel operators at the gravel pit to \$6 per hour, and mechanic helpers and shop assistants to \$4.50 per hour. This act was repealed by Private Acts of 1986, Chapter 148.

Chapter X - Law Enforcement

Sheriff

Civil Service Commission

Private Acts of 2000 Chapter 62

SECTION 1. (a) There is created a Carroll County Sheriff's Department civil service commission (the commission), which shall consist of three (3) members. One (1) member shall be appointed by the County Legislative Body of Carroll County. One (1) member shall be selected by a majority vote of the classified employees of the Carroll County sheriff's department (the department). The third member shall be selected by the two (2) members whose method of selection is provided above.

(b) A member shall be at least thirty (30) years of age and shall have been a resident of Carroll County for at least five (5) years. A member shall serve for a term of six (6) years; provided, for the initial selections the members appointed by the County Legislative Body of Carroll County shall serve a two (2) year term; the member selected by classified employees of the department shall serve a six (6) year term; the third member who is selected by the other two (2) members shall serve a four (4) year term.

(c) Each member shall have equal power and a majority vote of the members is necessary to authorize any commission action or decision. Two (2) members shall constitute a quorum for the transaction of business. No member of the commission shall be employed in any manner by a municipal, county, state or federal government. No member shall hold any elected or appointed position in any governing body and no member shall be a member of the immediate family of any employee of the department. Any vacancy in the commission shall immediately be filled for the remainder of the unexpired term in the same manner as the position was originally filled.

SECTION 2. Each member of the commission shall receive a salary of fifty dollars (\$50.00) per meeting. Each member shall be reimbursed necessary expenses incurred in the discharge of official duties. The County Legislative Body of Carroll County shall make adequate financial provision including stenographic services for the commission in the performance of its duties. The commission shall hold no more than ten (10) meetings a year.

SECTION 3. The commission shall elect a chairman who shall preside over all meetings, a vice chairman to serve in the absence of the chairman, and a secretary. The secretary shall keep complete and accurate records of all proceedings held by the commission in a minute book to be provided for this purpose. The secretary shall likewise keep a complete and accurate record of employment lists as provided in Section 5.

SECTION 4. All full-time employees of the department, holding a classified position, as set out hereafter, on the payroll of the department on the effective date of this act shall be covered by the provisions of the act except as noted, and shall not be required to take an examination to continue in their presently classified positions.

SECTION 5. (a) After the effective date of this act, any person seeking employment with the department for any classified position as hereinafter defined, with the exception noted below, shall first be examined and declared qualified by the commission. All other classified positions in the department shall be filled as provided below.

(b) The examination may be written or practical and shall be prepared by the commission on advice of the sheriff, and shall be a comprehensive examination related to the field which it covers. Police officers standard training may be substituted for the examination. The commission shall regularly hold competitive examinations for classified positions. Such examinations shall be offered annually to any applicant and more often as necessary. The commission shall cause a notice to appear not less than thirty (30) days prior to the date set for such examination and the notice shall contain a brief statement of the subjects upon which applicants will be examined, the time and place of the examination and the duties required by such classified position. The commission shall prepare a list of those persons declared qualified for each classified position, in the order of their excellence as determined by the examination. If a vacancy occurs in a classified position, and upon the request of the sheriff, the commission shall certify to the sheriff the names of the (7) persons at the top of the list qualified for such vacancy. The sheriff may select any one (1) of the top seven (7) persons for the classified position in the department, except the positions of detention specialist and deputy shall be filled by a promotion by the sheriff from a holder of a classified position. Deputized clerical and office staff shall be appointed by the sheriff.

(c) Every February, a new classified position list shall be established by examination and any applicant shall take such examination before he or she can be eligible for listing as an applicant for a classified position. This subsection applies whether a person was listed on a former classified position or no.

SECTION 6. (a) No person holding any classified position of employment shall be discharged from the service of the department or demoted except for just cause and it is expressly intended that engaging in any political activity or refusing to engage in any political activity shall not be just cause for discharge, suspension or demotion of any employee holding a classified position. Any person discharged or demoted shall have the right to be heard by the commission, in person or by counsel, and the action of the sheriff in discharging or demoting such person shall be subject to the approval or disapproval of the commission. If the commission approves the discharge or demotion, the decision shall be final. If such discharge or demotion is disapproved the employee shall be reinstated to such position with full pay and rights from the day of discharge or demotion. The sheriff shall have the authority to suspend any classified position holder in the department for a period not exceeding one (1) consecutive fifteen (15) day period without approval of the commission; provided, where the suspension exceeds one (1) consecutive three (3) day period the classified position holder shall have the right to request an appeal and review by the commission. A written request for hearing must be made within five (5) days from the date of discharge, demotion or suspension.

(b) Any person holding a classified position in the department may be reduced in rank for cause but such action shall likewise, upon appeal, be subject to the approval or disapproval of the commission.

(c) None of the provisions of this section shall apply to any classified position during the first twelve (12) months of employment. Such period is hereby declared to be a probationary period.

(d) None of the provisions of this section shall prevent the discharge of a holder of a classified position who was employed as the result of the resignation of a holder of a classified position to enter the armed forces, but upon the return of such holder from the armed forces, the holder of the position with the least seniority may be discharged, in which case such holder would revert to the classified position list.

SECTION 7. (a) The following positions within the department are hereby declared to be classified positions within the meaning of this act:

- (1) Four (4) sergeants;
- (2) Two (2) investigators;
- (3) Deputies;
- (4) Deputized clerical and office staff;
- (5) Communications officers; and
- (6) One (1) chief deputy.

(b) All positions not classified herein as classified positions are unclassified positions and such unclassified positions are not covered by the provisions of this act.

SECTION 8. It shall be the duty of the commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this act and of the rules of the commission and to defend all civil suits which may be brought against the commission. The commission shall be represented in such suits by the county attorney except in cases wherein the county attorney may be an interested party. In such events the commission may employ special counsel, and the expense shall be borne by the county on behalf of the commission.

SECTION 9. In any investigation conducted by the commission, the commission shall have the power to subpoena and require the attendance of witnesses and the production by them of books and papers, pertinent to the investigation and to administer oaths to such witnesses.

SECTION 10. Any person who obstructs or deceives any person in respect to his or her right under this act, makes a false report or certificate, or bribe, or attempts to bribe any employee of the commission or in any other way fraudulently conduct themselves to gain favor for any person or persons, shall be punishable by a civil penalty of not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00).

SECTION 11. Immediate reports in writing shall be given to the commission by the head of the sheriff's department of all occurrences which affect the status of classified positions or the performance of duties of all persons holding classified positions.

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

SECTION 13. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 12.

Passed: January 31, 2000.

Law Enforcement - Historical Notes

Militia

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

1. Private Acts of 1822, Chapter 94, provided that the military officers elected in Carroll County by order of the Brigadier General of the 11th Brigade be confirmed in their offices, and the Governor was directed to issue their commissions.
2. Private Acts of 1824, Chapter 40, designated the Carroll County militia as the 74th Regiment, attached to the 13th Brigade along with Henderson, Gibson, Henry, Weakley, Obion and Dyer Counties.
3. Public Acts of 1825, Chapter 69, declared that free men and indentured servants between the ages of 18 and 45 years would constitute the state militia. Certain persons were exempt from service, including judges, ministers of the gospel, grist mill keepers, public ferry men and mail carriers. The militia of Carroll County constituted the 74th Regiment, which would hold a regimental muster on the second Saturday in September each year.
4. Private Acts of 1827, Chapter 203, provided that the volunteer company known as the Carroll Guards were not required to attend battalion or regimental musters or court martials. If a person was subject to militia duty in the county and was a member of the Carroll Guards, he could be exempt from militia duty by providing a certificate from the Captain of the Guards to that effect.
5. Public Acts of 1835-36, Chapter 21, reorganized the state militia. The state had four divisions, and the Carroll County militia constituted the 111th and 112th Regiments, which formed part of the 18th Brigade, in the 4th Division.
6. Acts of 1837-38, Chapter 157, scheduled county drills for every county militia unit in Tennessee. Carroll County would drill its units on the first Monday and Tuesday following the first Friday and Saturday in September. The units in Carroll, Henry and Benton Counties comprised the 18th Brigade.
7. Acts of 1839-40, Chapter 56, required all white male inhabitants of the state between the ages of 18 and 45 to serve in the militia, with some exceptions specified. The act made various organizational changes, but no changes were made in the regiments of Carroll County.
8. Acts of 1845-46, Chapter 109, changed the time of holding drill musters in Carroll, Henry and Gibson Counties. The commissioned officers of the militia in each of these counties were to hold their drill musters at their respective county seat each year, preceding their regimental musters.

Offenses

The acts briefly summarized below fell into this category in Carroll County.

1. Private Acts of 1923, Chapter 316, made it unlawful for any person, firm or corporation to own, operate or in any way to be associated with any pool room or billiard room for financial gain in counties having a population between 24,350 and 24,360 according to the 1920 census. The act obviously was intended to apply to Carroll County, but the population of Carroll County was 24,361. Therefore, the act was amended by Private Acts of 1923, Chapter 684, to change the upper limit of the population bracket to 24,361.

Sheriff

The following acts have no current effect but are included here for reference purposes since they once applied to the Carroll County Sheriff's Office.

1. Private Acts of 1826, Chapter 175, directed the Carroll County Sheriff to make a certified report to the Sheriffs of Gibson and Dyer Counties of the taxes due on those tracts of land which were once in Carroll County but now lay in Gibson and Dyer counties for the years 1821, 1822 and 1823. The Sheriff of Carroll County had been unable to collect the delinquent taxes.
2. Acts of 1847-48, Chapter 147, directed the Treasurer of the State of Tennessee to refund Jeremiah T. Rust, Sheriff of Carroll County, \$27.50 for insolvencies disallowed him out of the state revenue and collected by him for the year 1845. The act also authorized all sheriffs and tax collectors in the state to make deeds of conveyance for lands sold for delinquent taxes.
3. Private Acts of 1923, Chapter 462, set the salary of the Sheriff of Carroll County at \$1,500

annually, payable quarterly. The Sheriff would receive 60¢ per day for feeding each prisoner held in the county jail. The Sheriff was prohibited from charging jail fees for receiving or releasing prisoners, but he would receive the fees set by law for service of process, subpoenas and other legal papers.

4. Private Acts of 1927, Chapter 636, provided that as compensation for their enforcement of the liquor laws in Carroll County, the Sheriff, deputy or constable making the arrest would receive one-fourth of the fines collected from the violator.
5. Private Acts of 1947, Chapter 191, amended Private Acts of 1923, Chapter 462, to repeal the provision which prohibited the Sheriff of Carroll County from receiving any jail fees for receiving (and presumably releasing) prisoners.

Chapter XI - Taxation

Assessor of Property

Private Acts of 1945 Chapter 178

COMPILER'S NOTE: The following private act was enacted prior to the amendment to Article II, Section 28, of the Tennessee Constitution and the enactment of the Property Assessment and Classification Act of 1973. Most, if not all, of the provisions of the following act have been superseded by general law which is found in scattered sections of Tennessee Code Annotated, particularly Title 67, Chapters 1, 3 and 5.

SECTION 1. That in Counties having a population of not less than 25,975 nor more than 26,000, as reported by the Federal Census of 1940, there is hereby provided a more efficient method of assessing the taxable property in such Counties for State, County and Municipal purposes.

SECTION 2. That the Carroll County Quarterly Court in its July, 1946, session, shall elect for Carroll County, Tennessee, a Tax Assessor who shall have completed at least a high school education, or its equivalent, whose duty it shall be to maintain an office in the courthouse in the county seat of such County, assess all of the assessable property in said County at its cash market value and make a record of such assessment as hereinafter provided, and who shall in addition to the duties herein imposed, in all things comply with the general taxing assessing [sic] laws of the State of Tennessee. Such person shall be twenty-one (21) years of age and shall hold office for a period of four (4) years from September 1, following his election and hold such office until his successor is elected and qualified at and after the July term of the Carroll County Quarterly Court.

As amended by: Private Acts of 1949, Chapter 509
Private Acts of 1951, Chapter 4
Private Acts of 1951, Chapter 258

COMPILER'S NOTE: Portions of Section 2 have been superseded by Private Acts of 1967-68, Chapter 314 (reproduced herein), and T.C.A. § 67-1-502, both of which require the popular election of the assessor of property. General law found at T.C.A. § 67-1-509 sets out the qualifications of the assessor.

SECTION 3. That such Tax Assessor, before entering in upon the duties of his office, shall first subscribe to an oath as follows:

"I do solemnly swear that I will support the constitution and laws of the State of Tennessee and of the United States of America, and that I will, without fear, partiality or prejudice, to the best of my ability assess all of the taxable property in Carroll County at its fair cash market value, make due report thereof, and keep a permanent record of same."

Said oath to be filed in the office of the County Court Clerk; that he shall enter into a good and solvent bond in the penal sum of Ten Thousand (\$10,000.00) Dollars, conditioned upon his faithful performance of his duties as such Tax Assessor.

COMPILER'S NOTE: The oath required of the assessor is found in T.C.A. § 67-1-507, its filing by the county clerk is governed by T.C.A. § 67-5-302, and the surety bond requirement is found in T.C.A. § 67-1-505, all of which supersede any conflicting provisions of Section 3.

SECTION 4. That immediately upon his qualification and assumption of the duties of such office he shall proceed to go upon, ascertain the ownership of, and obtain a complete boundary description of every tract

of land in Carroll County, Tennessee, and shall transcribe such description, location and name of the owner of said tract upon a permanent book hereinafter provided for and shall assess such property at its fair cash market value.

SECTION 5. That every conveyance in writing of real property located within this County shall first be presented to the Tax Assessor of the County wherein said property is located for notation of the change or changes in ownership occasioned by said conveyance on the tax assessment books of the State and County. It shall be the duty of the Tax Assessor to note the changes in ownership occasioned by the conveyance on the face of the tax assessment records, together with the date of the notation and sign his name thereto; and he shall also stamp or note the fact of such presentation over his signature on the face of the written instrument presented, and a like duty will evolve on the official having charge of municipal tax assessment books if the property be within a municipal corporation. The notation by the Tax Assessor and by the proper municipal official, with appropriate changes, shall be in substantially the following form, to-wit:

"Received for notation of changes in ownership on the tax assessment books of
_____ County, Tennessee.

This _____ day of _____, 19____

Tax Assessor.

SECTION 6. That no conveyance in writing of real property shall be received by the Register of any County under this Act for registration unless it bear the notation of the County Tax Assessor required by the preceding section of this Act, and if it be shown on the face of the deed that the property conveyed is within a municipal corporation, then and in that event no Register for any County coming within this Act shall receive said instrument for registration unless it bear the notation of the proper municipal official, as required by Section 5 of this Act. The registration of any conveyance in writing of real property which fails to bear on its face the proper notation of the County Tax Assessor is hereby declared to be totally void.

SECTION 7. That the said Tax Assessor shall also ascertain from the County Court Clerk, the Clerk and Master of the Chancery Court, the Clerk of the Circuit Court or the Clerk of any other Court that has jurisdiction to sell lands and when, as and if lands are sold by decree of either of these Courts, it shall be the duty of the Tax Assessor to note such judicial sale or transfer upon his books. Said Tax Assessor shall also inspect the book of the County Court Clerk from time to time to ascertain if property is transferred by will, and shall note such transfer upon his books.

SECTION 8. That after the Tax Assessor shall have completed the listing on all of the property in Carroll County as hereinbefore provided, which must be done as soon as practicable after the passage of this Act, he shall deliver said books to the Equalization Board to be dealt with as provided by the general laws and thereafter the tax books for the Turstee's [sic] office shall be made up as now provided by law, but the books kept by the Tax Assessor shall be maintained in the manner as hereinbefore set out at all times, and be kept in the Tax Assessor's office in the Courthouse.

SECTION 9. That it shall be a misdemeanor for any Tax Assessor under this Act to copy any assessment from any previous tax book or in any other way fail to fulfill the duties of his office and upon conviction he shall be fined not less than \$100.00, nor more than \$500.00, and be imprisoned in the County Jail for not less than ten days, nor more than six months for each offense and in addition be removed from office.

COMPILER'S NOTE: Failure of the assessor to perform the duties required by law and the penalties and fines therefor are set out in the general law found at T.C.A. §§ 67-5-305 and 67-5-306.

SECTION 10. That as full pay and compensation for all services rendered hereunder by said Tax Assessor, he shall have and receive the sum of Thirty-six Hundred (\$3,600.00) Dollars per annum, which shall be paid to him by warrant drawn against the General Fund of such county in equal monthly installments in the regular way.

As amended by: Private Acts of 1951, Chapter 258.

COMPILER'S NOTE: Section 10 has been superseded by T.C.A. § 67-1-508, which provides that the salary of the assessor is to be set by the county legislative body in an amount not less than the salary of the County Trustee.

SECTION 11. That until the election of the single Tax Assessor as hereinbefore provided the duties of the Tax Assessor created by this Act shall be performed by the present Tax Assessors of such County, each of whom have agreed to accept the duties of this Act until such regular election.

SECTION 12. That the Tax Assessor shall, at the regular meeting of the Quarterly County Court in January, April, July and October of each year, report to the County Court, in writing, the total assessed value of taxable properties in the County and recommend the necessary changes in valuation.

SECTION 13. That the Tax Assessor each two years at the time of the annual assessment, shall publish in some newspaper or divide the annual assessment list between the three newspapers published in Carroll County, Tennessee, a complete list of the property assessed and its assessed value, but subject to the approval of the Carroll County Quarterly Court.

COMPILER'S NOTE: General law governing records and notice of assessment is found at T.C.A. § 67-5-508.

SECTION 14. That the Tax Assessor shall make up a typed list of all property assessed by districts, showing a complete list of the property assessed and its assessed value and shall keep said list in his office at all time [sic] for public inspection.

SECTION 15. That the County Judge shall appoint four (4) members of the County Court, two (2) from each political party of the County Court and the County Tax Assessor to represent the county as a Board of five (5) for the purpose of setting up a standard of valuation for the Tax Assessor to use in making up the annual assessment for the County.

COMPILER'S NOTE: Section 15 has been superseded by the general law provisions regarding state and county boards of equalization.

SECTION 16. That the several sections of this Act be severable, and if any sections should be declared to be unconstitutional, such unconstitutionality shall not affect the other sections of this Act.

SECTION 17. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 7, 1945.

Private Acts of 1967-68 Chapter 314

SECTION 1. The County Assessor of property in Carroll County shall be elected by the qualified voters of Carroll County on the first Thursday in August 1970 and every four (4) years thereafter, as provided by general law.

SECTION 2. This Act shall have no effect unless it is approved by majority of the number of qualified voters of the county voting in an election on the question of whether or not the Act should be approved. The ballots used in the regular election to be held on August 1, 1968, shall have printed on them the caption of this Act and the voter shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the County Election Commissioners and certified to the Secretary of State as provided by law in the case of general elections. The qualifications of voting on the question shall be the same as those required for participation in general elections and all laws applicable to general elections shall apply to the determination of the approval or rejection of this act.

Passed: February 26, 1968

Litigation Tax

Private Acts of 1983 Chapter 84

SECTION 1. There is hereby created a litigation tax on the privilege of litigating a civil or criminal action in the Circuit, Criminal, or Chancery Courts, the court of General Sessions, Juvenile and any other Special Courts in Carroll County. The amount of such tax shall be Seven and 75/100 (\$7.75) Dollars to be levied in Circuit, Criminal and Chancery Courts and Five And 25/100 (\$5.25) Dollars in General Sessions, Juvenile and all other Courts. As used in this Act, "cause of action" or "Action" includes, but is not limited to, all ex parte hearings, advisory hearings and adversary proceedings.

SECTION 2. The Clerks of the various Courts shall collect the litigation tax from the parties as part of the costs of the cause of action and such collections shall be made upon the disposition of such cause of action. Provided, however, the clerks shall not collect the litigation tax on such action if the Judge having jurisdiction over the action suspends the costs of the cause of action. The clerks shall collect the litigation taxes authorized by this Act and transfer such taxes to the County trustee [sic] on a monthly basis to be deposited with the trustee no later than the 10th day of the month immediately following the month of collection.

SECTION 3. Upon receipt of the funds of such litigation tax from the clerks, the county trustee shall deposit such funds in the County General Fund. Such funds shall be subject to appropriation by the County Legislative Body for any County purpose.

SECTION 4. The litigation tax created by this Act shall be in addition to all other privilege taxes on

litigation imposed by the laws of this state.

SECTION 5. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Carroll County, Tennessee. Its approval or non-approval shall be proclaimed by the presiding officer [sic] of the Carroll County Legislative Body and certified by him to the Secretary of State.

SECTION 6. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes, it shall become effective on the first day of the month next following the approval of the County Legislative Body as provided in Section 5.

Passed: April 7, 1983.

Motor Vehicle Tax

Private Acts of 1976 Chapter 264

SECTION 1. For the privilege of using the public roads and highways, in Carroll County, there is levied upon motor-driven vehicles, including motorcycles and motor-driven bicycles and scooters, and upon the privilege of the operation thereof, a special privilege tax for the benefit of such county. The tax shall be in the amount of Ten Dollars (\$10.00) for each such motor-driven vehicle and for each such motorcycle, or motor-driven bicycle and scooter. Farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and all motor-driven vehicles owned by any governmental agency or governmental instrumentality are excluded and exempt from such privilege tax. Nothing in this Act shall be construed as permitting and authorizing the levy and collection of a tax against non-residents of Carroll County or against owners of such vehicles using the streets, roads, and highways of Carroll County, who live or reside outside the bounds of the County but who do not come within the provisions of this Act, and within a reasonable construction of such provisions.

Any new resident of Carroll County shall be allowed thirty (30) days after establishing his residence in the county within which to comply with the provisions of this Act.

SECTION 2. The tax shall be paid to and collected by the County Court Clerk of Carroll County, who shall collect his tax at the same time that he collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State. The Clerk shall not issue to a resident of Carroll County a state license for the operation of a motor-driven vehicle unless, at the same time, such owner shall pay the privilege tax for the operation of each of his motor-driven vehicles under the provisions of this Act.

Payment of such tax shall be evidence [sic] by a receipt, issued in duplicate by the Clerk. The original of the receipt shall be kept by the owner of the motor-driven vehicle with the owner's certificate of registration and exhibited as now required by the general law of the State of Tennessee for the owner's Certificate of Registration as defined in Tennessee Code Annotated, 59-408(a) and 59-408(b).

COMPILER'S NOTE: Former T.C.A. § 59-408 has been recodified as § 55-4-108.

The payment of the privilege tax or wheel tax levied by this Act together with full, complete and explicit performance of and compliance with all provisions of this Act, by the owner of a motor-driven vehicle, shall entitle such owner to operate or allow to be operated his vehicle over the streets, roads, and highways of the county for a period of one year from March 1st of each year until midnight on the last day of February of the next succeeding year. There shall be a grace period of forty-six (46) days to commence on March 1st of each year and end at midnight on April 15th in which to comply with this Act.

When a vehicle becomes taxable under the provisions of this Act, at a later date than the above required date, the same proportionate reduction shall be made as to the cost of the wheel tax, or the amount to be paid to the County Court Clerk therefor, as is now made in the issuance of the privilege tax payable to the State of Tennessee and collected by the Clerk, under the provisions of the general laws of this State.

For his services in collecting such tax, and in issuing the receipt therefor and delivering it to the owner, the Clerk shall be entitled to a fee of Fifty Cents (\$.50) for each motor-driven vehicle and for each motor-cycle, motor-driven scooter and bicycle. It is the legislative intent that the Clerk's fee equal five percent (5%) of the amount of tax paid. This fee shall be deducted from the amount of wheel tax paid by and collected from the owner of each motor-driven vehicle, motorcycle or motor-driven scooter and bicycle. The Clerk will faithfully account for, make proper reports of, and pay over to the Trustee of Carroll County at monthly intervals, all funds paid to and received by him for the payment of such wheel tax.

If any motor-driven vehicle, for which the wheel tax has been paid and the receipt issued, becomes

unusable or is destroyed or damaged to the extent that it can no longer be operated over the public roads, streets or highways of such county; or if the owner transfers the title to such vehicle, and applies to the Clerk for the issuance of a duplicate receipt to be used by him on another vehicle for the unexpired term for which the original receipt was issued, and the Clerk is satisfied that the applicant is entitled to the issuance of such duplicate receipt and the owner pays the Clerk the sum of Twenty-Five Cents (\$.25) the Clerk will then issue to such owner a duplicate receipt, will cancel the original receipt delivered to him by the owner, and will deliver to the owner a duplicate receipt for the motor-driven vehicle for which it is issued. Such duplicate receipt shall entitle the owner to operate or allow to be operated the vehicle upon the streets, roads and highways of such county for the remainder of the period for which the original receipt was issued. If the original receipt becomes obliterated, erased, or defaced, or is destroyed and is therefore illegible and unusable by the owner, upon proper application made by the owner and filed with the Clerk, showing such circumstances and facts to be true, the Clerk, upon receipt from the owner of Twenty-Five Cents (\$.25), may issue and deliver to the owner a duplicate receipt.

SECTION 3. The proceeds from the tax levied by this Act, when collected by the Clerk and paid into hands of the Trustee, shall be placed in the Highway Fund of Carroll County to be used for county highway purposes only.

SECTION 4. Any person violating the provisions of this Act, upon conviction, shall be fined not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).

SECTION 5. The tax herein levied shall be collected beginning March 1, 1976 and each subsequent year thereafter.

SECTION 6. 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 7. This Act shall have no effect unless it is approved by a majority of the voters voting in an election to be held for the purpose of approving or rejecting it. Such election shall be held in the same manner and by the same officials as General Elections are required to be held in Carroll County. Within fifteen (15) days after this act becomes law, the county election commission of Carroll County shall call an election. Notice of such election shall be given not less than twenty (20) days nor more than thirty (30) days before the day of the election by publication of an appropriate notice in a newspaper of general circulation in Carroll County, as required by general law. The ballot used in the election shall have printed on them [sic] the substance of this Act including the maximum amount of tax and the purpose of such tax. Voters shall vote for or against its approval. The votes cast in the election shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the secretary of state as provided by law in the cases of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this Act. The cost of the election shall be paid by the county to which this Act applies.

SECTION 8. For the purpose of approving or rejecting the provisions of this Act as provided in Section 7, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, this Act shall take effect upon being approved as provided in Section 7.

Passed: March 10, 1976.

Severance Tax

Private Acts of 1980 Chapter 184

SECTION 1. Carroll County by resolution of its County Legislative Body is authorized to levy a tax on all sand, clay, gravel, limestone and all other minerals severed from the ground within its jurisdiction. The tax shall be levied for the use and benefit of Carroll County only and all revenues collected from the tax, except deductions for administration and collection provided for herein, shall be allocated to Carroll County.

Administration and collection of this tax shall be by the County Clerk of Carroll County who shall have the power to promulgate all rules and regulations necessary and reasonable for the administration of the provisions of this Act.

SECTION 2. The rate of the tax shall be set by the County Legislative Body, but shall not exceed fifteen cents (15¢) per ton of sand, clay, gravel, limestone, or other mineral products severed from the ground in

the county. Every interested owner shall become liable at the time the sand, clay, gravel, limestone, or other mineral products is [sic] severed from the earth and ready for sale, whether before processing or after processing as the case may be.

The term "sand, clay, gravel, limestone, or other mineral products" shall mean sand, clay, gravel, limestone, or any other minerals severed from the earth in the process of producing a saleable product by whatever means of severance used. It shall not include, however, any mineral taxed under the provisions of Tennessee Code Annotated, Sections 67-5901 through 67-5905 nor Section 60-116. The tax is levied upon the entire production in the county regardless of the place of sale or the fact that delivery may be made outside the county. The tax shall accrue at the time the sand, clay, gravel, limestone, or other mineral products is [sic] severed from the earth and in its natural or unprocessed state. The tax levied shall be a lien upon all sand, clay, gravel, limestone, and other mineral products severed in the county and upon all property from which it is severed, including but not limited to mineral rights of the producer, and such lien shall be entitled to preference over all judgments, encumbrances or liens whatsoever created.

As amended by: Private Acts of 1983, Chapter 43
Private Acts of 2000, Chapter 70

COMPILER'S NOTE: Former T.C.A. §§ 67-5901 through 67-5905 have been recodified as §§ 67-7-101 through 67-7-110 (coal severance tax), and former T.C.A. § 60-116 has been recodified as § 60-1-301 (gas and oil severance tax).

SECTION 3. The tax levied by this Act shall be due and payable on the first day of the month succeeding the month in which the sand, clay, gravel, limestone, or other mineral products are severed from the soil. For the purpose of ascertaining the amount of tax payable it shall be the duty of all operators in Carroll County to transmit to the County Clerk on or before the fifteenth (15th) day of the month next succeeding the month in which the tax accrues, a return upon forms provided by him. The return shall show the month or period covered, the total number of tons of each type of mineral, sand, clay, gravel, limestone, or other mineral products severed from each production unit operated, owned or controlled by the taxpayer during the period covered, the amount of the tax and such other information as the County Clerk may require. The return shall be accompanied by a remittance covering the amount of tax due as computed by the taxpayer.

SECTION 4. The tax levied by this Act shall become delinquent on the sixteenth (16th) day of the month next succeeding the month in which such tax accrues. When any operator shall fail to make any return and pay the full amount of the tax levied on or before such date there shall be imposed, in addition to other penalties provided herein, a specific penalty in the amount of ten percent (10%) of the tax due. Whenever a penalty is imposed there shall also be added to the amount of tax and penalty due interest thereon at the rate of eight percent (8%) per annum from the date due until paid. A further penalty of fifty percent (50%) of the amount due may be added if the nonpayment of the tax is due to an intent to evade payment. If the non-payment of the tax is due to an intent to evade payment, the person liable for such payment may be restrained and enjoined from severing sand, clay, gravel, limestone, or other mineral products from a production unit from which sand, clay, gravel, limestone, or other mineral products have been severed and sold and upon which the tax is due. Restraint proceedings shall be instituted in the name of the county by the request of the Carroll County Clerk.

All such penalties and interest imposed by this Act shall be payable to and collectible by the County Clerk in the same manner as if they were a part of the tax imposed and shall be retained by the County Clerk's office to help defray the expenses of administration and collection.

Any person required by this Act to make a return, pay a tax, keep records, or furnish information deemed necessary by the County Clerk for the computation, assessment, or collection of the tax imposed by this Act, who fails to make the return, pay the tax, keep the records, or furnish the information at the time required by law or regulation is, in addition to other penalties provided by law, guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for not more than one (1) year or both.

Any person who willfully or fraudulently makes and signs a return which he does not believe to be true and correct as to every material fact is guilty of a felony and subject to the penalties prescribed for perjury under the law of this state. For the purposes of this section the word "person" also includes an officer or employee of a corporation or a member or employee of a partnership who is under duty to perform the act in respect to which the violation occurs.

SECTION 5. When any person shall fail to file any form, statement, report or return required to be filed with the County Clerk, after being given written notice of same, the County Clerk is authorized to determine the tax liability of such person from whatever source of information may be available to him. An assessment made by the County Clerk pursuant to this authority shall be binding as if made upon the

sworn statement, report or return of the person liable for the payment of such tax; and any person against whom such an assessment is lawfully made shall thereafter be estopped to dispute the accuracy thereof except upon filing a true and accurate return together with such supporting evidence as the County Clerk may require indicating precisely the amount of the alleged inaccuracy.

SECTION 6. All revenues collected from the severance of sand, clay, gravel, limestone, or other mineral products in Carroll County less an amount of two percent (2%) of the tax and all of the penalties and interest collected, which shall be retained by the office of the County Clerk and credited to its current service revenue to cover the expenses of administration and collection, shall be remitted to the county trustee of Carroll County. These revenues shall become a part of the general fund of Carroll County, subject to appropriation by the County Legislative Body.

SECTION 7. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Carroll County before June 1, 1980. Its approval or nonapproval shall be proclaimed by the presiding officer of the Carroll County Legislative Body and certified by him to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

Passed: February 4, 1980.

Taxation - Historical Notes

Assessor of Property

The following acts were superseded, repealed or failed to win local ratification, but they are listed here as a reference to laws which once affected the Carroll County Assessor. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1927, Chapter 635, divided Carroll County into five tax assessing districts, with the voters in each district to elect a Tax Assessor for the district. Each Assessor would be paid \$300 per year and serve a two year term.
2. Private Acts of 1929, Chapter 348, amended Private Acts of 1927, Chapter 635, to increase the annual salary of the Tax Assessors to \$500.
3. Private Acts of 1931, Chapter 647, amended Private Acts of 1927, Chapter 635, to increase the term of office of the Tax Assessors to four years.
4. Private Acts of 1933, Chapter 173, amended Private Acts of 1927, Chapter 635, to provide that beginning September 1, 1934, Carroll County would have only one Tax Assessor, who would serve a four year term and receive \$1,500 annually as compensation. This act was repealed before it went into effect by Private Acts of 1933, Chapter 383.
5. Private Acts of 1933, Chapter 433, amended Private Acts of 1927, Chapter 635, to abolish the existing tax assessing districts and divide Carroll County into two tax assessing districts, with two Tax Assessors, each of whom would receive an annual salary of \$750 and serve a four year term.
6. Private Acts of 1949, Chapter 509, amended Private Acts of 1945, Chapter 178, reproduced herein, to provide that at the August 1950 election the voters in Carroll County would popularly elect a Tax Assessor to serve a four year term. This act was repealed by Private Acts of 1951, Chapter 4.
7. Private Acts of 1951, Chapter 258, reenacted Section 2 of Private Acts of 1945, Chapter 178 (reproduced herein), as it had been prior to its amendment by Private Acts of 1949, Chapter 509.
8. Private Acts of 1955, Chapter 188, would have amended Private Acts of 1945, Chapter 178 (reproduced herein), to provide for the popular election of the Tax Assessor in Carroll County, but the act was rejected by the quarterly county court and never became effective law.

Taxation

The following is a listing of acts pertaining to taxation in Carroll County which are no longer effective. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1829, Chapter 44, authorized the Carroll County Court to levy a tax, not to exceed the state and county tax, to build a jail in Carroll County.
2. Public Acts of 1920 (Ex. Sess.), Chapter 22, was a general tax statute which reduced special property tax rates in municipalities and counties proportionally with a recent increase in property

assessment, to prevent the collection of excessive taxes. This act was amended by Private Acts of 1921, Chapter 184, to exempt Carroll County's special school districts from the general law.

3. Private Acts of 1931, Chapter 223, created the office of Delinquent Poll Tax Collector in counties having a population between 22,193 and 30,000, which included Carroll County. The Delinquent Poll Tax Collector would receive 70¢ for each delinquent poll tax collected. This act was amended by Private Acts of 1931, Chapter 518, to limit the duties of the Delinquent Poll Tax Collector. This act, as amended, was repealed by Private Acts of 1931, Chapter 757.
4. Private Acts of 1935, Chapter 754, set the poll tax rate in Carroll County at \$1 and prohibited any additional poll tax except those levied under special acts pertaining to school districts.
5. Private Acts of 1959, Chapter 219, would have levied a \$5 wheel tax in Carroll County, the proceeds of which were to be used for teacher's salaries, but this act was not submitted to the voters for approval as required under the act and it never became effective law.

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