

HOUSE JOINT RESOLUTION 845

By Kelsey

A RESOLUTION to propose an amendment to Article VI, Section 5 of the Constitution of the State of Tennessee, to provide for the popular election of the Attorney General and Reporter of the State.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed:

That Article VI, Section 5, of the Constitution of the State of Tennessee be amended by deleting the first sentence and by substituting instead the following:

An attorney general and reporter for the state shall be elected by the qualified voters of the state and shall hold office for a term of four years and until a successor is elected and qualified. The attorney general and reporter shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a citizen of this state at least five years prior to election. The attorney general and reporter may prosecute any violation of the state criminal statutes in any court having jurisdiction of the matter and may perform all prosecutorial functions attendant thereto, and shall perform such other duties as are authorized or required by law.

BE IT FURTHER RESOLVED, that upon ratification of the amendment proposed herein at the November, 2010, general election, a popular election for an interim attorney general and reporter shall be held at the November, 2012, general election and the person elected shall serve as interim attorney general and reporter for a term of two (2) years, and a popular election

for the attorney general and reporter shall be held at the November, 2014, general election and every four (4) years thereafter.

BE IT FURTHER RESOLVED, that the term of office of the interim attorney general and reporter shall begin on the second Tuesday in January immediately following the November, 2012, general election, and the term of office of the attorney general and reporter shall begin on the second Tuesday in January immediately following the November, 2014, general election and every four (4) years thereafter.

BE IT FURTHER RESOLVED, that upon ratification of the amendment proposed herein at the November, 2010, general election, the Justices of the Supreme Court shall retain power to fill, until the November, 2012, general election, any vacancy arising in the office of attorney general and reporter.

BE IT FURTHER RESOLVED, that the foregoing be referred to the One Hundred Fifth General Assembly and that this resolution proposing such amendment be published by the secretary of state in accordance with Article XI, Section 3 of the Constitution of the State of Tennessee.

BE IT FURTHER RESOLVED, that the clerk of the house is directed to deliver a copy of this resolution to the secretary of state.