

Amendment No. 9 to HB1122

**Curtiss
Signature of Sponsor**

AMEND Senate Bill No. 857*

House Bill No. 1122

by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 42-3-103(a), is amended by designating the existing language as subdivision (1) and by adding the following language to be designated as subdivision (2):

(2) The governing body of the municipality or the county may, by a two-thirds (2/3) vote of the governing body upon written charges and after a public hearing, remove any or all of the commissioners of the authority for incompetency, failure or neglect to perform the duties required by law, malfeasance, misfeasance, misconduct or corruption in office, or for any other good and sufficient reason. If removed, a vacancy shall exist on the authority of the commissioner or commissioners so removed and such vacancy shall be filled by the governing body for the unexpired term in the same manner as in the case of the original appointment.

SECTION _____. Tennessee Code Annotated, Section 42-3-104(a), is amended by designating by adding the following language as a new subdivision (3):

(3)

(i) A commissioner or all of the commissioners of an authority may be removed for incompetency, failure or neglect to perform the duties required by law, malfeasance, misfeasance, misconduct or corruption in office, or for any other good and sufficient reason.

(ii) If the governor makes an appointment pursuant to subdivision (a)(1) or (a)(2), the governor is authorized to remove the commissioner so appointed upon written charges and after a public hearing.

(iii) The governing body of the municipality or county or the commissioners of the regional airport authority, as appropriate, which made the original appointment or appointments pursuant to subdivision (a)(1) or (a)(2) are authorized to remove the commissioner or commissioners so appointed by a two-thirds (2/3) vote of the governing body of the municipality, county or regional airport authority, as appropriate, upon written charges and after a public hearing.

(iv) If removed, a vacancy shall exist on the authority of the commissioner or commissioners so removed and such vacancy shall be filled for the unexpired term by the governing body of the municipality or county, the commissioners of the regional airport authority or the governor, as appropriate, in the same manner as in the case of the original appointment.