

HOUSE BILL 3569

By Rowland

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 17, Part 1 and Title 3, relative to costs and attorney fees in contested elections.

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

SECTION 1. Tennessee Code Annotated, Section 2-17-115, is amended by deleting the section in its entirety and by substituting instead the following:

§ 2-17-115. Costs and a reasonable attorney's fee shall be assessed against the contestant or the appellant if the contest or the appeal is maliciously or frivolously prosecuted. In a contest heard by the senate or house of representatives, costs and a reasonable attorney's fee shall be assessed by the chancery court of Davidson County upon a written finding by the senate or house of representatives that the contest was maliciously or frivolously prosecuted before such body.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it, and shall apply to all contests for election filed on or after that date.