

HOUSE BILL 2635

By Doss

AN ACT to amend Chapter 255 of the Private Acts of 1931; and any other acts amendatory thereto, relative to the county attorney of Giles County.

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

SECTION 1. Chapter 255 of the Private Acts of 1931, and any other acts amendatory thereto, is amended by deleting Sections 1-8 and substituting instead the following:

SECTION 1. There is an office of County Attorney of Giles County, Tennessee. The County Attorney shall be elected by the Giles County Commission for a period of one (1) year and shall serve until a successor is duly elected under the provisions of this Act. If the County Attorney becomes unable to serve for any reason, be it death, disability, or resignation, for a period of ninety (90) days, then the County Commission may, at its next regularly scheduled meeting, fill the vacancy.

SECTION 2. The County Attorney shall be compensated with a reasonable salary in an amount to be determined from time to time by the County Commission. The County Attorney's salary shall not be diminished during the one-year term for which such salary is established. The County Attorney shall be paid monthly upon the presentation to the County's Financial Management Office of an itemized invoice for services rendered by the County Attorney.

SECTION 3. The County Attorney shall:

- (a) Render legal aid and advice to any county official, duly appointed deputy, or employee in matters relating to their official work and official duties;
- (b) Transact the usual legal business of the county, in court or otherwise;

(c) Meet with the County Commission at its sessions and give legal advice and render legal services to the County Commission, its committees, and its members;

(d) Render such other services on behalf of the county as may reasonably be deemed to be the usual, customary, and ordinary duties of a County Attorney; and

(e) Appear for and on behalf of the county in all litigation affecting the county or its interests wherever and whenever the same may be held or pending, when properly instructed or requested to do so by the County Commission or the officials of the county acting within the scope of their authority.

SECTION 4. The County Attorney shall submit an itemization of any expenses, such as travel, printing, postage, and court reporting, that the County Attorney incurred on behalf of the County on a monthly basis to the Giles County Financial Management Office for processing and payment.

SECTION 5. For legal matters out of the ordinary that include extra or unusual legal services or require an unusual amount of legal work and time or for work and services that would not be reasonably deemed to be the usual and ordinary work or duties of a County Attorney, the County Mayor may retain counsel for such legal matters pursuant to Tennessee Code Annotated, Section 5-6-112.

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

SECTION 4. 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 3.