

HOUSE BILL 1517

By Weaver

AN ACT to amend Chapter 70 of the Private Acts of 2012; and any other acts amendatory thereto, relative to the Financial Management Modernization System of the County of Sumner, Tennessee of 2012.

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

SECTION 1. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Section 2(4) and substituting instead the following:

(4) "County" or "Organization" means the county and includes the School System if the School System chooses to join the Organization.

SECTION 2. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Section 3(a)(1) and substituting instead the following:

(a) A five (5) member Policy Subcommittee.

(1) The Policy Subcommittee to be composed of five (5) voting members as follows:

(A) County Executive;

(B) County Finance Director;

(C) Chairman of the Financial Management Committee;

(D) Road Superintendent; and

(E) One elected county official, chosen annually by the Sumner County Officials Association or by majority vote of any subsequent organization that the statutorily and constitutionally elected officials create.

SECTION 3. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Section 7(a) and substituting instead the following:

(a) There is hereby created an integrated financial system for the various departments, agencies, and boards that are operated through the County Trustee, which may or may not include the School System, depending upon the decision of the School System to participate as set forth in this Act.

SECTION 4. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Sections 7(d) and (e) and substituting instead the following:

(d) The school system Human Resource Department shall be under the control of the Director of Schools but may be integrated into the enterprise resource planning system, if the School System votes to seek integration into the system.

(e) The school system's budgets shall be under the control of the Sumner County School Board, but may be integrated into the enterprise resource planning system, if the School System votes to seek integration into the system.

SECTION 5. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting the first sentence of Section 8(a) and substituting instead the following:

(a) By this 2012 Finance Act, there is hereby created an accounting system for all funds of the various departments, agencies, and boards that are operated through the County Trustee, which may include the School System if the School System votes to seek integration into the system.

SECTION 6. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by adding the following new Section 8(e):

(e) The School System may operate separately from these functions except that such records shall be available for view by the County Finance Department.

SECTION 7. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Section 9(1)(C) and substituting instead the following:

(C) If integrated with the School System, to consult with the School Finance Director to verify that the classification of all expenditures and revenues of the County

school department's funds conform to the appropriate County Uniform Chart of Accounts;

SECTION 8. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Section 9(3)(B) and substituting instead the following:

(B) All checks on County funds held by the County Trustee shall be signed by the Finance Director and the following person(s) as indicated:

(1) Chairman of the Board of Education and the Director of Schools for disbursements from school funds; provided, that if the School System chooses to not be included in the Organization, signature of checks shall be undertaken in a form acceptable by state standards;

(2) Chief Administrative Officer of the County Highway Department for disbursement from highway funds; and

(3) County Executive for all other disbursements of County Funds.

SECTION 9. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting the introductory language of Section 10 and substituting instead the following:

School Finance Director's Accounting Duties. It is the duty of the School Finance Director, through the School System accounting system (or the County, if the School system so chooses), to perform the following duties:

SECTION 10. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Sections 20 and 21 and substituting instead the following:

SECTION 20. Education Department – Participation with the 2012 Finance Act.

(a) If the School System does not maintain records, follow accounting and budgetary procedures, and submit timely reports and information as prescribed by state law and by the Commissioner of Education, the Commissioner of Education, after a hearing on the issue of such neglect, shall seek to have the County Education Department placed under this 2012 Finance Act by written notification to the presiding officer of the County Legislative Body.

(b) Upon notice from the Commissioner, the County Legislative Body shall transfer sufficient funds from the control of the Finance Department to provide financial services in the County Education Department under the supervision of the School Board, as provided by general law. .

(c) State funds may be withheld for failure to provide adequate funds to transfer the responsibilities to the County Education Department.

SECTION 21. Implementation.

(a) The Financial Management Committee shall evaluate the ongoing operation of the implementation of all areas of this Act and shall notify the full County Commission, the School System, all offices, elected officials, and the public when it deems that portions or all of the provisions of this Act are to be fully implemented.

(b) Until that time, the County shall work towards the goal of implementation; however, delays in implementation in no way violate this Act if full implementation is not reached in a timely manner.

SECTION 11. Chapter 70 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Section 24(a) and substituting instead the following:

(a) This Act *and the subsequent amendments thereto* shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Sumner County. Its approval or nonapproval shall be proclaimed by the presiding officer of the County legislative Body of Sumner County and certified to the secretary of state.

SECTION 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sumner County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified 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 as provided in Section 12.