

HOUSE BILL 2284

By Hill M

AN ACT to amend Tennessee Code Annotated, Title 11  
and Title 49, relative to confirmation of  
appointments by the general assembly.

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

SECTION 1. Tennessee Code Annotated, Section 11-7-104(b), is amended by deleting subdivision (2) and substituting instead the following:

(2)

(A) The governor shall appoint trustees. Except as otherwise provided in this subdivision (b)(2), all trustees must be confirmed by joint resolution of the senate and the house of representatives prior to beginning a term of office.

(B) If either house fails to confirm the appointment of a trustee by the governor within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

(C) If the general assembly is not in session at the time a trustee is appointed to fill a vacancy, then the appointee serves for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly in accordance with subdivision (b)(2)(B).

SECTION 2. Tennessee Code Annotated, Section 11-7-104, is amended by deleting subsection (d) and substituting instead the following:

(d) Whenever a vacancy on the board exists, the governor shall appoint a trustee for the remainder of the unexpired term. A trustee appointed by the governor to

fill a vacancy on the board is subject to confirmation by the general assembly pursuant to subsection (b).

SECTION 3. Tennessee Code Annotated, Section 49-1-301(a), is amended by deleting subdivision (3) and substituting instead the following:

(3)

(A) The governor shall appoint all appointive members of the board.

Except as otherwise provided in this subdivision (a)(3), all appointive members of the board must be confirmed by joint resolution of the senate and the house of representatives prior to beginning a term of office.

(B) If either house fails to confirm the appointment of a member by the governor within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

(C) If the general assembly is not in session at the time a member is appointed to fill a vacancy, then the appointee serves for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly in accordance with subdivision (a)(3)(B).

(D) Whenever a vacancy on the board exists, the governor shall appoint a member for the remainder of the unexpired term. A member appointed by the governor to fill a vacancy on the board is subject to confirmation by the general assembly pursuant to this subdivision (a)(3).

SECTION 4. Tennessee Code Annotated, Section 49-1-312, is amended by deleting subsection (b) and substituting instead the following:

(b)

(1) Except as otherwise provided in this subsection (b), all members appointed to the standards recommendation committee must be confirmed by joint resolution of the senate and the house of representatives prior to beginning a term of office.

(2) If either house fails to confirm the appointment of a member within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

(3) If the general assembly is not in session at the time a member is appointed to fill a vacancy, then the appointee serves for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly in accordance with subdivision (b)(2).

(4) Whenever a vacancy on the committee exists, the respective appointing authority shall appoint a member to fill the vacancy. A member appointed to fill a vacancy on the committee is subject to confirmation by the general assembly pursuant to this subsection (b).

SECTION 5. Tennessee Code Annotated, Section 49-8-201(a), is amended by deleting subdivision (5) and substituting instead the following:

(5)

(A) Except as otherwise provided in this subdivision (a)(5), all members appointed to the board of regents must be confirmed by joint resolution of the senate and the house of representatives prior to beginning a term of office.

(B) If either house fails to confirm the appointment of a member within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

(C) If the general assembly is not in session at the time a member is appointed to fill a vacancy, then the appointee serves for the term appointed

unless the appointment is not confirmed during the next regular session of the general assembly in accordance with subdivision (a)(5)(B).

SECTION 6. Tennessee Code Annotated, Section 49-8-201(a), is amended by deleting subdivision (7) and substituting instead the following:

(7) Whenever a vacancy on the board exists, the governor shall appoint a member for the remainder of the unexpired term. A member appointed by the governor to fill a vacancy on the board is subject to confirmation by the general assembly pursuant to subdivision (a)(5).

SECTION 7. Tennessee Code Annotated, Section 49-8-201(f), is amended by deleting subdivision (3) and substituting instead the following:

(3)

(A) Except as otherwise provided in this subdivision (f)(3), the eight (8) members of a state university board appointed by the governor must be confirmed by joint resolution of the senate and the house of representatives prior to beginning a term of office.

(B) If either house fails to confirm the appointment of a member by the governor within ninety (90) calendar days after the general assembly next convenes in regular session following the appointment, then the appointment terminates on the day following the ninetieth calendar day.

(C) If the general assembly is not in session at the time a member is appointed to fill a vacancy, then the appointee serves for the term appointed unless the appointment is not confirmed during the next regular session of the general assembly in accordance with subdivision (f)(3)(B).

SECTION 8. Tennessee Code Annotated, Section 49-8-201(f), is amended by deleting subdivision (5) and substituting instead the following:

(5) Whenever a vacancy on the board exists, the governor shall appoint a member for the remainder of the unexpired term. A member appointed by the governor to fill a vacancy on a state university board is subject to confirmation by the general assembly pursuant to subdivision (f)(3).

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to all appointments made on or after that date.