

SENATE BILL 1540

By Haile

AN ACT to amend Chapter 568 of the Private Acts of 1939; as amended by Chapter 405 of the Private Acts of 1957; Chapter 17 of the Private Acts of 1965; Chapter 223 of the Private Acts of 1970; Chapter 107 of the Private Acts of 1981 and Chapter 39 of the Private Acts of 2007; and any other acts amendatory thereto, relative to the charter of the City of Portland.

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

SECTION 1. Article VI, Section 1 of Chapter 568 of the Private Acts of 1939, as amended by Chapter 223 of the Private Acts of 1970, Chapter 107 of the Private Acts of 1981, Chapter 39 of the Private Acts of 2007, and any other acts amendatory thereto, is amended by deleting the second sentence of the section and substituting instead the following:

The City Council shall fix the compensation of the city recorder, city judge, chief of police, chief of fire department, treasurer, city attorney, finance director, public works director, utility director and all other officers and employees of the City, and may define the duties of all City officials and employees of the City in a manner consistent with the provisions of this Act and general law.

SECTION 2. Chapter 568 of the Private Acts of 1939, and any other acts amendatory thereto, is amended by deleting the language "recorder" and "Recorder" wherever such language appears in Article I, Section 3; Article III, Sections 2, 7, 15, and 16; Article IV, Sections 3 and 4; Article V, Sections 1, 3, and 5; and Article VII, Section 1 and substituting instead the language "city recorder".

SECTION 3. Article VII, Section 2 of Chapter 568 of the Private Acts of 1939, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Section 2. [Deleted by amendment in 2019.]

SECTION 4. Article VII, Section 3 of Chapter 568 of the Private Acts of 1939, as amended by Chapter 107 of the Private Acts of 1981, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Section 3. Be if further enacted. That the city recorder shall keep the records of the City Council and perform such other duties as may be required by the City Council. The city recorder shall, by signature and by the seal of the City, attest all instruments signed in the name of the City and all official acts of the Mayor. The city recorder shall have the authority to administer oaths and affirmation, and to accept service of process on behalf of the City. The city recorder, or a designee, shall be present at all meetings of the City Council and shall keep a full and accurate record of all business transacted by the same, to be preserved in permanent book form. The city recorder shall have custody of the seal of the City, the public records, original rolls and ordinances, ordinance books and minute books of the City Council; all contracts, all deeds, certificates, papers, bonds, and all other records, oaths and affirmations, papers and documents not required by this charter or by ordinance to be deposited elsewhere. The city recorder shall, upon request, provide and certify copies of records, papers, and documents charging such fees as may be established by ordinance.

SECTION 5. Chapter 568 of the Private Acts of 1939, as amended by Chapter 405 of the Private Acts of 1957, Chapter 17 of the Private Acts of 1965, Chapter 107 of the Private Acts of 1981, Chapter 39 of the Private Acts of 2007, and any other acts amendatory thereto, is amended by deleting the language "recorder" and "Recorder" wherever such language appears in Article XI, Sections 1, 3, 4, 5, 6, and 7 and substituting instead the language "finance director".

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Portland. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 7. 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 6.