

**Senate State & Local Government  
Committee Amendment**

**AMENDMENT NO.** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
_____

**AMEND Senate Bill No. 2658**

**House Bill No. 2423\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-82-307(gg), is amended by deleting the subsection in its entirety and by substituting instead the following:

(gg)(1) Notwithstanding any provision of this chapter to the contrary, for any water utility district having less than one thousand five hundred (1,500) subscribers in any county having a population of not less than thirty four-thousand seven hundred thirty five (34,735) nor more than thirty four-thousand eight hundred (34,800) according to the 1990 federal census or any subsequent federal census, a vacancy occurring on the board of commissioners of any such utility district after January 1, 1997, shall be filled by vote of the customers of the utility district at the first regular meeting of the district's board of commissioners that occurs more than forty (40) days after the vacancy occurs. The board of commissioners shall schedule such meeting at seven o'clock p.m. (7:00 p.m.). No person shall serve on a board unless the person is a customer of the utility district. As used in this subsection, "customer" means a person who is periodically billed for utility service rendered by the district and who pays money for such service.

(2) A vacancy on the board due to the expiration of a term, or due to an increase in the number of members on the board, or due to any other reason, shall be filled as follows:

(A) For each vacancy, the incumbent commissioners shall select three (3) nominees, in accordance with any residency requirements that may apply to the office vacated, or to be vacated, and shall prepare a ballot for each vacancy.

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Other nominees may be placed on the ballot by submitting, twenty (20) days prior to the election, a nominating petition signed by not less than ten (10) customers who are residents of the county within which the vacancy occurs. Write-in votes for unlisted candidates shall also be considered. A vacancy shall be filled by a plurality of the votes cast for each seat.

(B) At least thirty-five (35) days prior to the election, the incumbent commissioners of the utility district shall mail written notice of such meeting and election to all customers and shall list any vacancies to be filled. If the commissioners fail to set the date for the meeting, or fail to mail notice of such meeting, or fail to hold such meeting, or fail to hold the election, the county executive shall cause such things to be done upon petition of any twenty (20) customers of the district.

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it.