

AN ACT to amend Chapter 76 of the Private Acts of 1917, as amended by Chapter 235 of the Private Acts of 1976, and all other acts amendatory thereto, relative to the board of mayor and aldermen of the City of Kingsport.

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

SECTION 1. Chapter 76 of the Private Acts of 1917, as amended by Chapter 235 of the Private Acts of 1976, and all other acts amendatory thereto, is amended by adding a new Article III, Section 9 thereto as follows:

Sec. 9. Attendance and Voting by Electronic Communication.

(a) Any one member of the board of mayor and aldermen who is unable to be physically present at the designated place where a meeting of the board of mayor and aldermen is held, may participate in a regular, adjourned, or called meeting through the use of electronic, telephonic or radio communication by which all members participating may simultaneously hear each other and speak to each other during the meeting. A member participating in a meeting by this means is deemed to be present in person at the meeting for the purpose of voting.

(b) Any meeting held pursuant to the terms of this section shall conform to the requirements of the Open Meetings Act and shall not circumvent the spirit or requirements of that law.

SECTION 2. Chapter 76 of the Private Acts of 1917, as amended, is further amended by deleting Article III, Section 12 in its entirety and substituting instead the following:

Sec. 12. Quorum designated; adjournment from day to day; compelling attendance of members at meetings.

(a) A majority of all members of the board constitutes a quorum, but a smaller number may adjourn from day to day and may compel the attendance of the absentees in such manner and under such penalties as the board may provide.

(b) A board member participating by electronic radio or telephonic communication shall not be counted for the purpose of determining the presence of a quorum.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the City of Kingsport. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Kingsport 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 upon being approved as provided in Section 3.

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