

PRIVATE CHAPTER NO. 69

HOUSE BILL NO. 3764

By Representatives Overbey, McCord

Substituted for: Senate Bill No. 3912

By Senator Raymond Finney

AN ACT to amend Chapter 27 of the Private Acts of 1967; as amended by Chapter 472 of the Private Acts of 1968; Chapter 193 of the Private Acts of 1984; Chapter 73 of the Private Acts of 2000; Chapter 1 of the Private Acts of 2001 and Chapter 106 of the Private Acts of 2004; and any other acts amendatory thereto, relative to the charter of the city of Maryville.

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

SECTION 1. Article II, Section 1 of Chapter 27 of the Private Acts of 1967, as amended by Chapter 472 of the Private Acts of 1968 and Chapter 193 of the Private Acts of 1984, and any other acts amendatory thereto, is amended in subdivision (23) by deleting the following language:

To provide and maintain charitable, education, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences, and services.

and by substituting instead the following language:

To provide and maintain charitable, education, recreative, curative, corrective, or detentive departments, functions, facilities, instrumentalities, conveniences, and services.

SECTION 2. Article II, Section 1 of Chapter 27 of the Private Acts of 1967, as amended, is amended by deleting subdivision (24) in its entirety, which reads as follows:

(24) To purchase or construct, maintain, and establish a workhouse or farm colony, for the confinement and detention of any person convicted in the City Court of offenses against the law and ordinances of the City who fails to secure the fine and costs imposed upon him, or to contract with the County to keep said persons in the workhouse of said County and to provide by said contract and by ordinance for the commitment of such persons to the workhouse so provided, until such fine and costs shall be fully paid.

SECTION 3. Article II, Section 1 of Chapter 27 of the Private Acts of 1967, as amended, is amended in subdivision (28) by deleting the language "Civil Service Systems" and substituting instead "Human Resource Management Systems".

SECTION 4. Article IV, Section 5 of Chapter 27 of the Private Acts of 1967, and any acts amendatory thereto, is amended by deleting the language "7:30 o'clock" and substituting instead the language "7:00".

SECTION 5. Article IV, Section 13 of Chapter 27 of the Private Acts of 1967, and any acts amendatory thereto, is amended by deleting the language "for crime or misdemeanor in office, for grave misconduct showing unfitness for public duty or for permanent disability" and by substituting instead the language "for crime or misdemeanor in office or for grave misconduct showing unfitness for public duty".

SECTION 6. Article VI, Section 2 of Chapter 27 of the Private Acts of 1967, and any acts amendatory thereto, is amended by deleting the language "His compensation" and by substituting instead the language "Compensation".

SECTION 7. Article VII of Chapter 27 of the Private Acts of 1967, as amended by Chapter 73 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting the language "Finance" in the title heading for such Article and substituting instead "Financial Services" and by deleting the language "finance" wherever it appears in Section 1 and substituting instead "financial services".

SECTION 8. Article IX of Chapter 27 of the Private Acts of 1967, as amended by Chapter 106 of the Private Acts of 2004, and any other acts amendatory thereto, is amended in Section 1 by deleting the language "By resolution, Council shall determine the budgetary period of either an annual or biennial budget prior to the beginning of each fiscal year".

SECTION 9. Article IX of Chapter 27 of the Private Acts of 1967, as amended, is amended in Section 2 by deleting the language "or biennial".

SECTION 10. Article IX of Chapter 27 of the Private Acts of 1967, as amended, is amended in Sections 3, 4 and 8 by deleting the language "years(s)" wherever it appears and substituting instead the language "year".

SECTION 11. Article IX of Chapter 27 of the Private Acts of 1967, as amended, is amended by deleting the language of Section 11 in its entirety and substituting instead the following:

Section 11. Every appropriation shall lapse at the end of the annual budget period to the extent that it has not been expended.

SECTION 12. Article IX of Chapter 27 of the Private Acts of 1967, as amended, is amended in Section 13 by deleting the following language:

The Council for the sole purpose of meeting the necessary expenses with an appropriation is authorized to borrow money up to an amount that will not exceed ten percent (10%) of the total assessed value of the incorporated area.

and by substituting instead the following language:

The Council for the sole purpose of meeting the necessary expenses with an appropriation is authorized to borrow money up to an amount that will not exceed

fifteen percent (15%) of the total assessed value of the incorporated area, net of any fund balance available within the Debt Service Fund.

SECTION 13. Article IX of Chapter 27 of the Private Acts of 1967, as amended, is amended in Section 15 by deleting the language "biennial" in subdivision (4) and substituting instead the language "annual".

SECTION 14. Article XI, Section of Chapter 27 of the Private Acts of 1967, any acts amendatory thereto, is amended in Section 5 by deleting the last three sentences of the section, which read as follows:

Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Upon failure to pay fines and costs or to furnish security, the City Judge shall commit the offender to the jail or workhouse until such fines and costs have been paid. For each day's confinement there shall be credited not less than \$2.00 toward the fine and costs.

SECTION 15. 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 Maryville. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 16. 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 15.

PASSED: February 21, 2008


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 4th day of March 2008


PHIL BREDESEN, GOVERNOR