



State of Tennessee
PUBLIC CHAPTER NO. 481

HOUSE BILL NO. 530

By Representative Ford

Substituted for: Senate Bill No. 419

By Senator Crowe

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 10, Part 1, relative to qualifications for office of constable.

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

SECTION 1. Tennessee Code Annotated, Section 8-10-102(a)(1), is amended by deleting subdivision (C) in its entirety and by substituting instead the following:

(C)

(i) Any person holding the office of constable on or before June 30, 2011, shall be able to read and write;

(ii) Any person elected or appointed to the office of constable on or after July 1, 2011, shall possess at least a high school diploma or general educational development certificate (GED); provided, however, this subdivision (a)(1)(C)(ii) shall not apply to any person holding the office of constable on June 30, 2011, and who is re-elected to the office of constable on or after July 1, 2011, without any interruption in holding such office.

SECTION 2. Tennessee Code Annotated, Section 8-10-109(b)(1), is amended by designating subdivision (1) as (1)(ii) and by adding the following language to subdivision (1):

(ii) Except as provided in subdivision (iii), any such action by the county legislative body to remove such law enforcement powers shall apply to constables elected for terms of office following the expiration of the term of office of constables in office at the time such action is taken by the county legislative body.

(iii) If during a constable's term of office, a constable is convicted of any felony or is removed from office under § 8-47-101 for knowingly or willfully committing misconduct in office, then with respect to such constable, the action of the county legislative body for removal of law enforcement powers shall become effective on the date such constable is removed from office or the date of the felony conviction; provided, however, if the felony conviction is overturned and there is additional time remaining on the term of office for which the constable was elected, the law enforcement powers shall be restored to such constable until the end of such term of office.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. Section 1 of this act shall take effect July 1, 2011, the public welfare requiring it, and shall apply to any election or appointment to the office of constable on or after such date. Section 2 of this act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: May 21, 2011

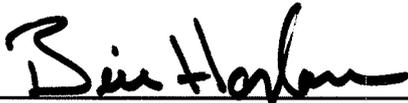


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 16th day of June 2011



BILL HASLAM, GOVERNOR