



State of Tennessee

PUBLIC CHAPTER NO. 350

SENATE BILL NO. 211

By Bell

Substituted for: House Bill No. 393

By Faison, Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29, Part 2 and Title 7, Chapter 86, Part 3, relative to the emergency communications board.

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

SECTION 1. Tennessee Code Annotated, Section 4-29-235(a), is amended by deleting subdivision (24) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-238(a), is amended by inserting the following language as a new subdivision:

() Emergency communications board, created by § 7-86-302;

SECTION 3. Tennessee Code Annotated, Section 7-86-302, is amended by deleting the section and substituting instead the following:

7-86-302.

(a) There is created in the department of commerce and insurance an emergency communications board, referred to in this part as "the board", for the purpose of assisting emergency communications district boards of directors in the areas of management, operations, and accountability, and establishing emergency communications for all citizens of this state. The board shall, upon being constituted, exercise its powers and duties in accordance with this part, relative to all emergency communications districts established pursuant to this chapter or by any public or private act.

(b)(1) The board shall be composed of nine (9) members as follows:

(A) The comptroller of the treasury or the comptroller's designee. The appointment of the comptroller's designee to the board shall be for the term of office of the comptroller;

(B) One (1) member, appointed by the governor, who has no connection to emergency communications districts and who does not fulfill any other requirements for appointment to the board;

(C) One (1) representative of county government, appointed by the speaker of the senate;

(D) One (1) representative of city government, appointed by the speaker of the house of representatives;

(E) Three (3) members, appointed by the governor, each of whom shall be either a current director of an emergency communications district or a current member of an emergency communications district board of directors at the time of their appointment. The members appointed pursuant to this subdivision shall each reside in a separate grand division of the state;

(F) One (1) at large member appointed by the speaker of the senate, who at the time of the member's appointment is either a current director of an emergency communications district or a current member of an emergency communications district board of directors; and

(G) One (1) at large member appointed by the speaker of the house of representatives, who at the time of the member's appointment is either a current director of an emergency communications district or a current member of an emergency communications district board of directors.

(2) No more than one (1) member appointed pursuant to subdivisions (b)(1)(E)–(G) shall be from the same county.

(3) In appointing members to the board, the appointing authorities shall strive to ensure that the composition of the board represents:

(A) The diversity of persons in Tennessee by considering race, gender, age, and geographical and political interests;

(B) Emergency communication districts in urban and rural areas of the state; and

(C) Emergency communication districts that employ both E-911 operators and dispatchers.

(c)(1) The governor shall appoint a successor to the member who has no connection to emergency communications districts following the expiration of that member's term on June 30, 2016, in accordance with subdivision (b)(1)(B).

(2) The speaker of the senate shall appoint a successor to the member who represents county government following the expiration of that member's term on June 30, 2018, in accordance with subdivision (b)(1)(C).

(3) The speaker of the house of representatives shall appoint a successor to the member who represents city government following the expiration of that member's term on June 30, 2017, in accordance with subdivision (b)(1)(D).

(4) The governor shall appoint successors to the three (3) members who represent emergency communication districts following the expiration of those members' terms on June 30, 2018, in accordance with subdivision (b)(1)(E).

(5) The speaker of the senate shall appoint a successor to the member who represents an emergency communications district following the expiration of that member's term on June 30, 2016, in accordance with subdivision (b)(1)(F).

(6) The speaker of the house of representatives shall appoint a successor to the member who represents an emergency communications district following the expiration of that member's term on June 30, 2017, in accordance with subdivision (b)(1)(G).

(d) Members appointed in accordance with subsection (c) shall serve three-year terms, to begin on July 1 and terminate on June 30, three (3) years thereafter.

(e) Members shall be selected to serve on the board for no more than two (2) successive terms.

(f) The board shall elect a chair and other officers as it may deem necessary and appropriate. The officers shall be elected for two-year terms.

(g) The board shall meet quarterly, and at the call of the chair.

(h) A quorum shall consist of five (5) or more members; and all official action of the board shall require a quorum.

(i)(1) Any member of the board who fails to attend at least fifty percent (50%) of the regularly scheduled meetings of the board within any twelve-month period shall automatically be removed from the board and a successor member shall be appointed by the appointing authority to serve out the remaining term of the member being replaced.

(2) Subdivision (i)(1) shall not apply to meetings held in accordance with § 7-86-314(a).

(j) All meetings of the board shall be subject to the open meeting provisions of title 8, chapter 44, and the public records provisions of title 10, chapter 7.

(k) The executive director shall compile a report of the board's expenditures by item and revenue by source for the quarter prior to each board meeting, with the most recent report to be posted and prominently displayed on the board's web site each quarter.

SECTION 4. Tennessee Code Annotated, Section 7-86-306, is amended by deleting subdivision (a)(3) and substituting instead the following:

(3) Subject to title 9, chapter 4, part 51, appoint and fix the salaries and duties of the experts, agents, and employees, and set the qualifications for such persons as it deems necessary;

SECTION 5. Tennessee Code Annotated, Section 7-86-306, is further amended by adding the following language immediately preceding subdivision (a)(4) and renumbering the subsequent subdivisions accordingly:

(4)(A) Appoint an executive director, who shall be a person of good moral character and shall be professionally qualified to administer, manage, and direct the affairs and business of the board, which include, but are not limited to:

- (i) Maintaining and securing all essential records and files;
 - (ii) Implementing board policies and procedures;
 - (iii) Informing the board as to state statutes, policies, and procedures;
- and
- (iv) Any other matters delegated by the board.

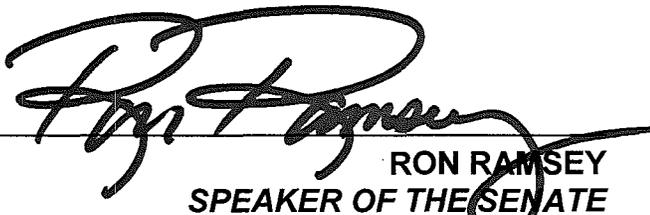
(B) For the purposes of §§ 8-30-201 and 8-30-202, the executive director of the board shall be considered the equivalent of an assistant commissioner.

(C) Before assuming any official duties, the executive director shall take and subscribe to the oath of office and shall execute a bond in the manner prescribed by title 8, chapter 19. This subdivision (a)(4)(C) shall not apply to the executive director serving on the effective date of this act.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 20, 2015

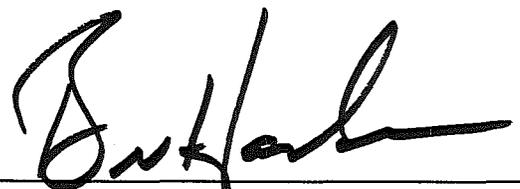


RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 4th day of May 2015



BILL HASLAM, GOVERNOR