

SENATE BILL 552

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 2 and Title 49, relative to the election of members of the state board of education.

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

SECTION 1. Tennessee Code Annotated, Section 49-1-301(a), is amended by deleting the subsection and substituting instead the following:

(a)

(1) The state board of education shall be composed of nine (9) elected members, one (1) appointed public high school student member, and one (1) ex officio member. One (1) elected member shall be elected from each congressional district. To be eligible to run for election and to serve, a person shall reside within the congressional district from which the member is to be elected as the district is apportioned at the time of the election. No incumbent member shall be removed from the incumbent member's seat prior to the expiration of the incumbent member's current term as a result of changes in congressional districts occasioned by reapportionment.

(2) The terms for all members shall begin January 1, 2017. The members of the board shall be elected for a term of four (4) years, and may succeed themselves; provided, that no member shall serve more than two (2) terms. At the regular November election held in 2016, in order to establish staggered terms of office, the members from odd-numbered congressional districts shall be elected for a term of two (2) years, and the members of even-numbered congressional districts shall be elected for a term of four (4) years.

(3) Vacancies occurring on the state board shall be filled by appointment by the governor for the unexpired term, subject to confirmation by the senate.

(4) Notwithstanding subdivision (a)(1), if an elected member of the state board ceases to reside within the congressional district from which the member was elected, then the member's seat on the board shall become vacant. The governor shall appoint a person to fill the vacancy, subject to confirmation by the senate.

(5) All elections for state board members shall be conducted on a nonpartisan basis, and no person seeking a position on a board shall campaign as the nominee or representative of any political party.

(6) The executive director of the higher education commission shall be an ex officio, nonvoting member of the board.

(7) The high school student shall be of superlative standing and shall serve for a one-year term in an ex officio, nonvoting capacity. The student member shall be appointed each year by the governor from nominees chosen by the local board of education in each school system at each board's discretion, with no more than one (1) student from each school system being nominated, and with the students having reached their junior or senior year in high school.

(8) The membership of the state board of education, except for the ex officio member and the student member, as comprised on December 31, 2016, shall be vacated on January 1, 2017, and new members shall be elected in accordance with subdivisions (a)(1) and (2).

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