

CHAPTER NO. 87

HOUSE BILL NO. 2775

By Representative Tidwell

Substituted for: Senate Bill No. 3145

By Senator Herron

AN ACT to repeal Chapter 117 of the Private Acts of 1953; and all other acts amendatory thereto, to divide Benton County into school districts; and to provide for the number, election and terms of members of the Benton County Board of Education.

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

SECTION 1. Chapter 117 of the Private Acts of 1953, and all acts amendatory thereto, are hereby repealed.

SECTION 2. Benton County shall be divided into six (6) school districts of substantially equal population, which shall be coextensive with the county legislative body districts established by resolution of the county legislative body from time to time.

SECTION 3. The Benton County Board of Education (the "board") shall consist of twelve (12) members, with two (2) members of the board being elected by the qualified voters in each school district on a non-partisan basis. Board members shall be elected to either Seat A or Seat B in each district. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of one-half (1/2) the board members will expire, with the terms of board members holding Seat A expiring at the same time and the terms of board members holding Seat B expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. To establish staggered terms as provided in Section 3, all incumbent board members shall remain on the board until the expiration of their current terms. Board members currently in office shall be assigned to Seat A or Seat B as follows:

District 1

Seat A Mike Draper

Seat B Barry Carter

District 2

Seat A William McDaniel

Seat B Mark Hargis

District 3

Seat A	Mike Winters
Seat B	Tim Hyatt
District 4	
Seat A	James Woodall
Seat B	Bobby Arnold
District 5	
Seat A	Brent Hedge
Seat B	Joey Cooper
District 6	
Seat A	Vernon Wade
Seat B	Ruby Evans

At the regular August 2002 elections, board members in Seat A shall be elected to four (4) year terms in Districts 1, 2, 3, 4, and 6, and a board member shall be elected in Seat B to a two (2) year term in District 2. At the regular August 2004 elections, board members in Seat B shall be elected to four (4) year terms in Districts 1, 2, 3, 4, 5, and 6, and a board member shall be elected in Seat A to a two (2) year term in District 5. Thereafter, all board members shall be elected to four (4) year terms as each member's term expires.

SECTION 5. The Benton County Board of Education shall have the same powers, duties, privileges and qualifications as a board of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 6. 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 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Benton County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Benton County and certified by such officer to the Secretary of State.

SECTION 8. For the purposes 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 7.

**PASSED: February 14, 2002**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 20<sup>th</sup> day of February 2002

  
DON R. PEDERSEN, GOVERNOR