RESOLUTION 2010-36

A RESOLUTION APPROVING 2010 PRIVATE ACT, CHAPTER NUMBER 58

WHEREAS, the Board of Mayor and Aldermen approved, by unanimous vote, Resolution 2010-09 regarding the Transfer of Appropriations; and

WHEREAS, the Tennessee Legislature, on request of the Board of Mayor and Aldermen considered and approved Resolution 2010-09, subsequently assigning it to Private Act, Chapter Number 58 (2010 Tenn. Priv. Acts 58); and

WHEREAS, pursuant to Resolution 2010-09 and Private Act, Chapter Number 58, Section 3, the Board of Mayor and Alderman must approve the 2010 Tenn. Priv. Acts 58 by a 2/3 vote of the whole membership.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT:

2010 Tenn. Priv. Acts 58 is hereby approved.

Approved this _____ day of_____, 2010.

ATTEST: DRAFT   CITY OF FRANKLIN, TENNESSEE

BY: _____   BY:_____
ERIC S. STUCKEY   **JOHN C. SCHROER**
City Recorder/Administrator   Mayor

PRIVATE CHAPTER NO. 58

HOUSE BILL NO. 3974

By Representatives Sargent, Casada

Substituted for: Senate Bill No. 3933

By Senator Johnson

AN ACT to amend Chapter 79 of the Acts of 1903; as amended by Chapter 126 of the Private Acts of 1967; Chapter 45 of the Private Acts of 1987; and any other acts amendatory thereto, relative to the charter of the City of Franklin.

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

SECTION 1. Chapter 79 of the Acts of 1903, as amended by Chapter 126 of the Private Acts of 1967, Chapter 45 of the Private Acts of 1987, and any other acts amendatory thereto, is amended in Article VII by deleting Section 4 in its entirety.

SECTION 2. Chapter 79 of the Acts of 1903, as amended by Chapter 126 of the Private Acts of 1967, Chapter 45 of the Private Acts of 1987, and any other acts amendatory thereto, is amended in Article VIII by deleting Section 10 in its entirety and by substituting instead the following:

> Section 10. <u>Transfer of Appropriations</u>. Transfer of appropriations shall be decided by ordinance.

SECTION 3.

> (a) 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 Franklin within sixty (60) days of its signing by the governor of this state, or unless it is approved by a majority of the number of qualified voters of the City of Franklin voting in an election on the question of whether or not the act should be approved. The local legislative body, in its discretion, shall determine which of the preceding methods of local approval shall be used.

> (b) If the local legislative body chooses the method of local approval that requires the vote of the legislative body, then the approval or nonapproval of this act shall be proclaimed by the presiding officer of the legislative body of the City of Franklin and certified to the secretary of state.

> (c) If the local legislative body chooses the method of local approval that requires a referendum, then the local legislative body shall determine whether such referendum shall be part of the next regularly scheduled election or if a special election shall be called. The ballots shall have printed on them a summary of this act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the

county election commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act.

SECTION 4. 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 upon ratification as provided in Section 3.

PASSED: April 15, 2010

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KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

_____
RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 30th day of April 2010

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PHIL BREDESEN, GOVERNOR