

Dear Mr. Hamilton, you have asked MTAS "How does a citizen go about getting an issue on the ballot?" Answer: In Tennessee there is no right to hold an election, including a referendum, absent an express grant of power by the legislature. [McPherson v. Everett, 594 S.W. 2d 677 (Tenn. 1980)]. The State Attorney General in 1980 opined that "the use of a referendum as a method of gauging the electorate's view of a particular issue is totally foreign to the representative system of government in Tennessee. [OAG 83-389 (Nov. 17, 1983)].

The General Assembly has specifically authorized the following referenda:

- Liquor Retail Sales TCA 57-3-101
- Annexation TCA 6-51-104
- Local Sales Tax TCA 67-6-701
- General Obligation Bonds TCA 9-21-201
- Recall, when in the private act charter [Tulahoma's charter does not provide for a recall election].
- Private Act passed by the General Assembly Article XI, Section 9, Tennessee Constitution
- Creating an E911 District TCA 7-86-101
- Adoption or amendment of a home rule charter Article XI, Section 9, Tennessee Constitution
- Consolidation of cities and county TCA 7-1-101
- Adoption or surrender of a general law charter
- Amending the city charter. [This is accomplished by the General Assembly after which the amendment must be approved either by a 2/3 majority of the city board, or by referendum, as stated in the private act to amend the charter.]

This list may also be found at the MTAS web site: www.mtas.utk.edu under Municipal Handbook, prepared by MTAS Senior Legal Consultant, Sid Hemsley

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