

December 5, 2013

City of Shelbyville
Ms. Vickie Haskins
City Recorder
201 N. Spring Street
Shelbyville, Tennessee 37162

VIA ELECTRONIC MAIL

Dear Ms. Haskins:

Responsive to your inquiry, please be advised that the Shelbyville city charter is silent on the requirement for, of the form of, an oath of office for elected or appointed officials. The MTAS legal staff is also unaware of any standard form for recording oaths of office.

However, the Tennessee Constitution, Article 10, § 1 provides as follows:

Every person who shall be chosen or appointed to any office of trust or profit under this Constitution, or any law made in pursuance thereof, shall, before entering on the duties thereof, take an oath to support the Constitution of this State, and of the United States, and an oath of office.

Tennessee Code Annotated § 8-18-111 sets forth the following:

The official oath, unless otherwise expressly prescribed by law, shall be in the following form: "I do solemnly swear that I will perform with fidelity the duties of the office to which I have been appointed (or elected, as the case may be), and which I am about to assume."

So we suggest the following oath that combines elements of both the constitution and statute:

***City of Shelbyville Tennessee
Oath of Office***

I, _____, do solemnly swear (or affirm) that I will support the Constitution and laws of the United States, and of the State of Tennessee, and the charter and ordinances of the City of Shelbyville, and that I will faithfully perform the duties of the office/position of _____ which I am about to assume, to the best of my ability.

Ms. Vickie Haskins
December 5, 2013
Page 2

Once the oath is sworn, a record should be made containing:

- ❖ Name of person
- ❖ Office/position
- ❖ Exact language of oath sworn
- ❖ Date
- ❖ Name of person issuing the oath

Please let me know if you have any questions regarding this matter.

Very truly yours,



Jeffrey J. Broughton
Municipal Management Consultant

Cc: Josh Jones, Legal Consultant