

# Seeking Local/State Elected Office

For those persons interested in seeking local or state elected office, please refer to the following considerations:

- A person must meet the **Qualifications for elected office**. (T.C.A. § 8-18-101)
- A person must meet the **qualifications for holding municipal elected office** (if applicable).
- A person must be issued and file a **nominating petition** (including certified duplicates when required) with the appropriate election commission office, the State Election Commission, or the state Coordinator of Elections containing the required number of signatures of registered voters eligible to vote to fill the elected office. It must be filed no later than 12:00 noon on the last date to qualify as a candidate for the election as required by law.
- A person must complete and submit all other appropriate forms, affidavits or other documentation for a particular elected office as required by law. (Example: For the office of School Board, proof of graduation from high school or receipt of GED must be filed.)
- A person must file the **Statement of Disclosure of Interests** form with the Tennessee Ethics Commission no later than thirty (30) days after the last day to qualify as a candidate. (T.C.A. § 3-6-205)
- A person must complete and file periodic **Campaign Financial Disclosure Reports** as required under the Campaign Financial Disclosure Act. (T.C.A. § 2-10-101 et seq.)
- A person must meet all **Residency Requirements** in the district, ward or jurisdiction in order to qualify as a candidate.

# QUALIFICATIONS FOR ELECTED OFFICES IN TENNESSEE

## **General Provisions Governing Qualifications for Office:**

The general qualifications of persons permitted to hold public office are set out in TCA § 8-18-101. This section provides that all persons of the age of eighteen (18) years who are citizens of the United States and of this state, and have been inhabitants of the state, county, district, or circuit for the period required by the constitution and laws of the state, are qualified to hold office under the authority of this state except:

- (1) Those who have been convicted of offering or giving a bribe, or of larceny, or any other offense declared infamous by law, unless restored to citizenship in the mode pointed out by law;
- (2) Those against whom there is a judgment unpaid for any moneys received by them, in any official capacity, due to the United States, to this state, or any county thereof;
- (3) Those who are defaulters to the treasury at the time of the election, and the election of any such person shall be void;
- (4) Soldiers, seamen, marines, or airmen in the regular army or navy or air force of the United States; and
- (5) Members of congress, and persons holding any office of profit or trust under any foreign power, other state of the union, or under the United States.

## **General Provisions Governing the Causes of Vacancies:**

The causes of vacancies are set out in TCA § 8-48-101. This section provides that any office in this state is vacated by the following:

- (1) Death of the incumbent;
- (2) Resignation, when permitted by law;
- (3) Ceasing to be a resident of the state, or of the district, circuit, or county for which he was elected or appointed;
- (4) Decision of a competent tribunal declaring the election or appointment void or the office vacant;
- (5) Act of the general assembly abridging the term of office, where it is not fixed by the constitution;
- (6) Sentence of the incumbent, by any competent tribunal in this or any other state, to the penitentiary, subject to restoration if the judgment is reversed, but not if the incumbent is pardoned; or

### **UNITED STATES PRESIDENT**

- 35 years of age; natural-born citizen; and a resident within the United States for 14 years. (US Constitution Article 2, Section 1)

### **UNITED STATES SENATOR**

- 30 years of age; Citizen of United States for 9 years; and a Tennessee resident. (US Constitution Article 1, Section 3)

### **UNITED STATES REPRESENTATIVE**

- 25 years of age; Citizen of United States for 7 years; and a Tennessee resident. (US Constitution Article 1, Section 2)

### **GOVERNOR**

- Basic qualifications of TCA 8-18-101 and  
- Shall be at least thirty (30) years of age, shall be a citizen of the United States, and shall have been a citizen of this State 7 years before the election. (TN Constitution Article 3, Section 3)

#### STATE EXECUTIVE COMMITTEE

- Basic qualifications of TCA 8-18-101; and
- In each party's primary, its voters in each senatorial district shall elect one (1) man and one (1) woman as members of the state executive committee. (TCA 2-13-103)
- Shall be bona fide members of the political party whose election they seek. (TCA 2-13-104)

#### STATE SENATOR

- Basic qualifications of TCA 8-18-101; and
- Shall be a citizen of the United States, at least 30 years of age, and shall have resided 3 years in this State and 1 year in the county or district represented immediately preceding the election. (TN Constitution Article 2, Sect. 10)
- Each district shall be represented by a qualified voter of that district. (TN Constitution Article 2, Section 6a)

#### STATE REPRESENTATIVE

- Basic qualifications of TCA 8-18-101; and
- Shall be a citizen of the United States, at least 21 years of age, and shall have resided 3 years in this State and 1 year in the county represented immediately preceding the election. (TN Constitution Article 2, Section 9)
- Each district shall be represented by a qualified voter of that district. (TN Constitution Article 2, Section 5a) 3 T

#### TENNESSEE SUPREME COURT JUDGE

- Basic qualifications of TCA 8-18-101; and
- Shall be at least 35 years of age and a resident of the state for 5 years. (TN Constitution Article 6, Section 3, TCA 17-1-101, TCA 17-1-103)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (TCA 17-1-106)

#### TENNESSEE COURT OF APPEALS JUDGE

- Basic qualifications of TCA 8-18-101; and
- Shall be at least 30 years of age and a resident of the state for 5 years. (TN Constitution Article 6, Section 4)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (TCA 17-1-106)
- Shall reside in the grand division of the state from which they seek election. (TCA 16-4-102)

#### TENNESSEE COURT OF CRIMINAL APPEALS JUDGE

- Basic qualifications of TCA 8-18-101; and
- Shall be a citizen of the United States, at least 30 years of age and a resident of the state for 5 years. (TN Constitution Article 6, Section 4, TCA 16-5-102)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (TCA 17-1-106)
- Shall reside in the grand division of the state from which they seek election. (TCA 16-5-102)

#### CIRCUIT COURT JUDGE/CRIMINAL COURT JUDGE

- Basic qualifications of TCA 8-18-101; and
- Shall be at least 30 years of age and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 4)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (TCA 17-1-101, 17-1-102, 17-1-103, 17-1-106) 4

#### GENERAL SESSIONS/JUVENILE COURT JUDGE

- Basic qualifications of TCA 8-18-101; and
- Shall be at least 30 years of age and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 4)
- Shall be licensed to practice law in this state. (TCA 16-15-5005)

#### DISTRICT ATTORNEY GENERAL

- Basic qualifications of TCA 8-18-101; and
- Shall be a duly licensed attorney admitted to the practice of law in this state and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 5)

#### DISTRICT PUBLIC DEFENDER

- Basic qualifications of TCA 8-18-101; and
- Shall be a duly licensed attorney admitted to the practice of law in this state and a resident of the state for 5 years and of the judicial district for 1 year. (TCA 8-14-202)

## COUNTY MAYOR/ COUNTY EXECUTIVE

- Basic qualifications of TCA 8-18-101; and
- Shall be:
  - (1) A qualified voter of the county;
  - (2) At least 25 years of age; and
  - (3) A resident of the county for at least 1 year prior to the date of filing a nominating petition for election to such office.
- Shall continue to reside in the county during the term of office and shall not, during the term of office, hold any other public office for profit. (TCA 5-6-104)

## COUNTY COMMISSION

- Basic qualifications of TCA 8-18-101; and
- Shall reside within and be a qualified voter of the district represented. (TCA 5-5-102)

## SHERIFF

- Basic qualifications of TCA 8-18-101; and
- No person shall engage in the practice of law or serve as a member of the general assembly while serving as sheriff. (TCA 8-8-101)
- A person shall:
  1. Be a citizen of the United States;
  2. Be at least 25 years of age prior to the date of qualifying for election;
  3. Be a qualified voter of the county and a resident of the county for one (1) full year prior to the date of the qualifying deadline;
  4. Have obtained a high school diploma or its equivalent in educational training as recognized by the Tennessee state board of education;
    - . Not have been convicted of or pleaded guilty to or entered a plea of nolo contendere to any misdemeanor crime of domestic violence or any felony charge or any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor or controlled substances;
  6. Be fingerprinted and have the Tennessee Bureau of Investigation make a search of local, state, and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of the T.B.I. It shall be the responsibility of the T.B.I. to forward all criminal history results to the Peace Officer Standards and Training (POST) commission for evaluation of qualifications;

7. Not have been released, separated, or discharged from the Armed Forces of the United States with a Dishonorable or Bad Conduct discharge, or as a consequence of conviction at court martial for either state or federal offenses;

8. Have been certified by a Tennessee licensed health care provider qualified in the psychiatric or psychological fields as being free any disorder, as set forth in the current edition of the Diagnostic and Statistical Manual of Mental Disorders, Third Edition (DSM III) or its successor, of the American Psychiatric Association; at the time of the examination, that would, in the professional judgment of the examiner, impair the subject's ability to perform any essential function of the job; and

9. Have at least three (3) years of full-time experience as a peace officer standards and training commission certified law enforcement officer in the previous ten (10) years or at least three (3) years of full-time experience as a state or federal certified law enforcement officer with training equivalent to that required by the peace officer standards and training commission in the previous ten (10) years. (This requirement does not apply in any county having a metropolitan form of government where the sheriff does not have law enforcement powers.)

10. Shall file with the POST Commission,

(A) An affidavit sworn to and signed by the candidate affirming that the candidate meets the requirements of this section; and

(B) A confirmation of psychological evaluation form certified by the psychologist/psychiatrist providing psychological evaluation as provided for in §8-8-102(a) (8) for the purposes of sheriff candidacy qualification.

#### TRUSTEE

- Basic qualifications of TCA 8-18-101
- Shall reside within the county. (TCA 8-48-101)

#### REGISTER OF DEEDS

- Basic qualifications of TCA 8-18-101
- Shall reside within the county. (TCA 8-48-101) 6

#### CIRCUIT COURT CLERK

- Basic qualifications of TCA 8-18-101; and
- Shall reside in the county wherein the court is held. (TCA 18-1-102)

## COUNTY CLERK

- Basic qualifications of TCA 8-18-101
- Shall reside within the county. (TCA 8-48-101)

## ASSESSOR OF PROPERTY

- Basic qualifications of TCA 8-18-101; and
- Shall reside within the county. (TCA 8-48-101)
- No member of the county legislative body shall be eligible to hold the office of assessor. (TCA 67-1-503)

## COUNTY SCHOOL BOARD/FRANKLIN SPECIAL SCHOOL DISTRICT BOARD OF EDUCATION

- Basic qualifications of TCA 8-18-101; and
- Shall reside within and be a qualified voter of the district represented. (TCA 49-2-201)
- Shall file with the county election commission proof of graduation from high school or receipt of a GED, evidenced by a diploma or other documentation satisfactory to the commission. (TCA 49-2-202)
- No member of the county legislative body nor any other county official shall be eligible for election as a member of the county board of education. (TCA 49-2-202)



## Qualifications for Municipal Elected Office

### **City of Brentwood**

Board of Commissioners-Seven Members

Four Year Terms (Alternating)

Elected in Odd Years-First Tuesday in May

Qualifications for Elected Office:

\*Candidates must meet the General Qualifications under T.C.A. § 8-18-101

\*Candidates must be a resident of the municipality.

### **City of Fairview**

Mayor and Board of Commissioners-Four Members

Four Year Terms (Alternating)

Elected in Even Years-First Tuesday after the first Monday in November

Qualifications for Elected Office:

\*Candidates must meet the General Qualifications under T.C.A. § 8-18-101

\*Candidates must be a resident of the municipality.

### **City of Franklin**

Mayor, Four Alderman at Large, and Four Ward Alderman

Four Year Terms-(Alternating)

Elected in Odd Years-Fourth Tuesday in October

Qualifications for Elected Office:

\*Candidates must meet the General Qualifications under T.C.A. § 8-18-101

\*Candidates must be a resident of the State of Tennessee for one (1) year.

\*Candidates must be a resident of the city at least six (6) months preceding the date of the election.

\*Candidates for Mayor must be at least twenty five (25) years of age.

\*Candidates for Ward Alderman must be a resident of the ward at least sixty (60) days preceding the date of the election.

**Qualifications for Municipal Elected Office  
(continued)**

**Town of Nolensville**

Mayor and Four Alderman at Large

Four Year Terms (Alternating)

Elected in Even Years-First Tuesday after the first Monday in November

Qualifications for Elected Office:

\*Candidates must meet the General Qualifications under T.C.A. §8-18-101

\*Candidates must be a resident of the municipality for one (1) year preceding the date of the election.

**Town of Thompson's Station**

Mayor and Four Alderman at Large

Four Year Terms (Alternating)

Elected in Even Years-First Tuesday after the first Monday in November

Qualifications for Elected Office:

\*Candidates must meet the General Qualifications under T.C.A. § 8-18-101.

\*Candidates must be a resident of the municipality for one (1) year preceding the date of the election.

**Town of Spring Hill (Maury County Election Commission)**

Mayor and Four Ward Alderman

Four Year Terms (Alternating)

Elected in Odd Years-Second Thursday in April

Qualifications for Elected Office:

\*Candidates must meet the General Qualifications under T.C.A. § 8-18-101

\*Candidates must be a resident of the municipality for one (1) year preceding the date of the election.

\*Candidates for Alderman must be a resident of the ward for one (1) year preceding the date of the election.