



RAMSEY FARRAR RUSSELL & SMITH  
GOVERNMENT RELATIONS

## Tennessee Weekly Legislative Update, 2/19 – 2/23, 2024

### **Moving Right Along**

Though the General Assembly did recess in honor of Presidents' Day this week, things are in full swing in Nashville. Committees are halfway through the requisite budget hearings from departments and agencies. Committee calendars are meaty and committees are starting to announce final dates to have bills on calendars.

### **How does a Constitutional Amendment become Law?**

Several proposed amendments are moving through the legislative process in Tennessee. You may ask how does a bill become a constitutional amendment? The process is laid out below:

The bill must pass one General Assembly by a majority in each house. The bill must then pass a subsequent General Assembly and such passage must be by a two-thirds vote in each house. The question must then appear on the ballot at the next general election where a governor is selected.

Proposed Constitutional amendments are presented as yes or no questions on the ballot. A yes vote is a vote to amend the Constitution and adopt the proposed language in the amendment. A no vote is a vote not to amend the Constitution and keep the current language in the Constitution unchanged.

Two things must happen for an amendment to pass and become part of the Constitution. The first is the amendment must get more yes votes than no votes. The second is that the number of yes votes must be a majority of the total votes in the gubernatorial election. Tennessee's longstanding process to determine the results for proposed Constitutional amendments was confirmed by a court decision following the 2014 general election.

To determine the number of votes needed to adopt a proposed Constitutional amendment, votes for all candidates for governor are added together and then divided by two. If there are more yes votes than no votes on the proposed amendment and the number of yes votes exceeds 50% +1 of the total votes for governor, the amendment passes and becomes part of the Constitution. The Constitutional amendment fails if the number of yes votes does not meet or exceed the threshold or if there are more no votes than yes votes.

Proposed Constitutional Amendment:

HJR 0081 by Darby, Williams, Moon, Doggett, McCalmon, Lynn, Powers, Richey, Hawk (HJR 0081 Niceley)

Constitutional Amendments- Proposes additional language in Article II, Section 28 to prohibit the general assembly from levying, authorizing, or otherwise permitting a state tax on property.