

ADD-ON IN GENERAL GOVERNMENT COMMITTEE ON 4/12/2023

Item #: _____

Moved by: _____

Seconded by: _____

Prepared by: Qur'an Folsom

Reviewed by: Marcy Ingram

RESOLUTION ELECTING JUSTIN J. PEARSON AS INTERIM REPRESENTATIVE TO THE OFFICE OF STATE HOUSE OF REPRESENTATIVES FOR THE EIGHTY-SIXTH DISTRICT OF TENNESSEE. SPONSORED BY CHAIRMAN MICKELL LOWERY.

WHEREAS, the Tennessee House of Representatives voted in the affirmative to expel former House of Representative Justin J. Pearson from the State House of Representatives District 86 seat due to issues of decorum on the State House floor in the wake of a horrific mass shooting that left three nine year old children and three adults dead; and

WHEREAS, former State House Representative Justin Pearson was duly elected by the citizens of State House District 86 and overwhelmingly the voters of this district want him to continue serving on their behalf; and

WHEREAS, the Shelby County Board of Commissioners does not condone the removal of any duly elected official due solely to issues of decorum or any other such issue that does not directly impact the fitness of office for said official; and

WHEREAS, pursuant to the Tennessee Constitution, Article II, Section 15(a), which states in relevant part:

Section 15. Vacancies. When the seat of any member of either House becomes vacant, the vacancy shall be filled as follows:

(a) **When twelve months or more remain prior to the next general election for legislators, a successor shall be elected by the qualified voters of the district represented,** and such successor shall serve the remainder of the original term. The election shall be held within such time as provided by law. **The legislative body of the replaced legislator's county of residence at the time or his or her election may elect an interim successor to serve until the election.** (Emphasis added).

WHEREAS, the Shelby County Board of Commissioners hereby elects Justin J. Pearson to serve as Interim House Representative for the Eighty-Sixth District of the State of Tennessee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMISSIONERS OF SHELBY COUNTY, TENNESSEE, that pursuant to Rule 36 of the Permanent Rules of Order, the provisions of Tenn. Code Ann. §5-5-105 and Tennessee Constitution, Article II, Section 15(a), the Board of Shelby County Commissioners hereby elects Justin J. Pearson to the office of Interim House Representative for the Eighty-Sixth District of the State of Tennessee, to fill the vacancy created by the State House of Representatives expelling him due to its rules regarding decorum.

BE IT FURTHER RESOLVED, that Justin J. Pearson has satisfied all of the eligibility requirements to serve as Interim House Representative for the Eighty-Sixth District of the State of Tennessee.

BE IT FURTHER RESOLVED, that Justin J. Pearson shall serve as Interim House Representative for the Eighty-Sixth District of the State of Tennessee until the election and qualification of a successor at the next special election for legislators.

BE IT FURTHER RESOLVED, that this resolution shall take effect in accordance with the Shelby County Charter, Article II, §2.06(B).

Lee Harris, County Mayor

DATE: _____

ATTEST:

Clerk of County Commission

Adopted: _____