



County Technical Assistance Service

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Committees-CLB

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Committees-CLB

Reference Number: CTAS-16

There are many committees, boards and commissions in county government. The laws that apply can be very confusing. It is important to distinguish between internal committees of the county legislative body and committees or boards established or made optional by general law or private acts. Internal committees of the county legislative body have no statutory requirements associated with them, they can be created or not according to the will of the county legislative body, they have no independent power to act and may only make recommendations to the full county legislative body. Therefore, the number, title, composition, method of appointment and other matters pertaining to these committees are determined by resolution of the county legislative body, either directly or through the adopted rules of procedure. See e.g., Op. Tenn. Att'y Gen. U91-48 (March 25, 1991). These internal committees may vary greatly from county to county and may change easily within a county. They exist simply to provide advice to the full county legislative body.

On the other hand, a county may have many boards and committees that have their basis in either general state law or private acts. These statutory boards and committees have to be dealt with according to the terms of the laws that created them or authorized their creation. These boards and committees may exercise the powers granted to them by law, but no other powers may be exercised. Some statutory boards or committees may exercise some limited powers directly, and in other matters they may merely make recommendations as would an internal study committee. The nature and authority of any particular committee or board in a county must be examined individually on a county- by-county and committee-by-committee basis.

A brief summary, including examples, of these three types of committees is included below.

Statutory Committees. These committees are provided for in the statutory law involving county commission appointment or approval of committee members. Not all of these committees are mandatorily required by the statutory law, but if created, they must be created in accordance with the statutes.

Standing Committees. These are internal committees not required by statute and are usually established by local rules of procedure adopted by the county commission or by tradition in the county. The function and membership of standing committees is at the discretion of the body and its chairperson. Standing committees usually have broad areas over which they are responsible for making studies and recommendations back to the full body. These committees continue their operation throughout the year and make periodic reports to the entire body concerning findings of the committee and recommendations on questions submitted to them. Examples of this type of committee are Fiscal Review Committee, Planning Committee and Nominations Committee.

Special Committees. Special Committees are also non-mandatory, internal committees which may be appointed or elected at a meeting of the county commission when an issue arises which needs more information or further study prior to official actions by the body. These are temporary committees which cease to function when they have completed their duties and made a report or recommendation back to the full body. Examples of this type of committee are Committee to Study the Need for a County Ambulance Authority, Committee to Draft Local Rules of Procedure and Committee to Plan Annual Picnic.

The chairperson of any committee may from time to time appoint subcommittees to study special issues coming before the committee. A subcommittee makes a report and recommendation to the full committee after completion of the study.

Boards, commissions and committees are covered in more detail under the **Structure of County Government** topic.

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