THE STATE CONSTITUTION OF TENNESSEE. Preamble and Declaration of Rights Whereas, The people of the territory of the United States south of the river Ohio, having the right of admission into the general government as a member state thereof, consistent with the Constitution of the United States, and the act of cession of the state of North Carolina, recognizing the or
dinance for the government of the territory of the United States north west of the Ohio River, by their delegates and representatives in convention assembled, did on the sixth day of February, in the year of our Lord one thousand seven hundred and ninety-six, ordain and establish a Constitution, or form of government, and mutually agreed with each other to form themselv
es into a free and independent state by the name of the state of Tennessee, and, Whereas, The General Assembly of the said state of Tennessee, (pursuant to the third section of the tenth article of the Constitution,) by an act passed on the Twenty-seventh day of November, in the year of our Lord one thousand eight hundred and thirty-three, entitled, "An Act" to provide for
the calling of a convention, passed in obedience to the declared will of the voters of the state, as expressed at the general election of August, in the year of our Lord one thousand eight hundred and thirty-three, did authorize and provide for the election by the people of delegates and representatives, to meet at Nashville, in Davidson County, on the third Monday in May, in t
he year of our Lord one thousand eight hundred and thirty-four, for the purpose of revising and amending, or changing, the Constitution, and said convention did accordingly meet and form a Constitution which was submitted to the people, and was ratified by them, on the first Friday in March, in the year of our Lord one thousand eight hundred and thirty-five, and, Wherea
s, The General Assembly of said state of Tennessee, under and in virtue of the first section of the first article of the Declaration of Rights, contained in and forming a part of the existing Constitution of the state, by an act passed on the fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-nine, did provide for the calling of a convention by
the people of the state, to meet at Nashville, on the second Monday in January, in the year of our Lord one thousand eight hundred and seventy, and for the election of delegates for the purpose of amending or revising the present Constitution, or forming and making a new Constitution; and, Whereas, The people of the state, in the mode provided by said Act, have called sa
id convention, and elected delegates to represent them therein; now therefore, We, the delegates and representatives of the people of the state of Tennessee, duly elected, and in convention assembled, in pursuance of said act of Assembly have ordained and established the following Constitution and form of government for this state, which we recommend to the people of
Tennessee for their ratification: That is to say ARTICLE I. Declaration of Rights. Section 1. That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; for the advancement of those ends they have at all times, an unalienable and indefeasible right to alter, reform, or abolish the govern
ment in such manner as they may think proper. Section 2. That government being instituted for the common benefit, the doctrine of nonresistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind. Section 3. That all men have a natural and indefeasible right to worship Almighty God according to the dictates o
f their own conscience; that no man can of right be compelled to attend, erect, or support any place of worship, or to maintain any minister against his consent; that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given, by law, to any religious establishment or mode of worship. Section 4.
That no political or religious test, other than an oath to support the Constitution of the United States and of this state, shall ever be required as a qualification to any office or public trust under this state. Section 5. The elections shall be free and equal, and the right of suffrage, as hereinafter declared, shall never be denied to any person entitled thereto, except upon a convi
ction by a jury of some infamous crime, previously ascertained and declared by law, and judgment thereon by court of competent jurisdiction. Section 6. That the right of trial by jury shall remain inviolate, and no religious or political test shall ever be required as a qualification for jurors. Section 7. That the people shall be secure in their persons, houses, papers and posses
sions, from unreasonable searches and seizures; and that general warrants, whereby an officer may be commanded to search suspected places, without evidence of the fact committed, or to seize any person or persons not named, whose offences are not particularly described and supported by evidence, are dangerous to liberty and ought not be granted. Section 8. That n
o man shall be taken or imprisoned, or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the judgment of his peers, or the law of the land. Section 9. That in all criminal prosecutions, the accused hath the right to be heard by himself and his counsel; to demand the nature and c
ause of the accusation against him, and to have a copy thereof, to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor, and in prosecutions by indictment or presentment, a speedy public trial, by an impartial jury of the county in which the crime shall have been committed, and shall not be compelled to give evidence against him
self. Section 10. That no person shall, for the same offence, be twice put in jeopardy of life or limb. Section 11. That laws made for the punishment of acts committed previous to the existence of such laws, and by them only declared criminal, are contrary to the principles of a free government; wherefore no ex post facto law shall be made. Section 12. That no conviction shal
l work corruption of blood or forfeiture of estate. The estate of such persons as shall destroy their own lives shall descend or vest as in case of natural death. If any person be killed by casualty, there shall be no forfeiture in consequence thereof. Section 13. That no person arrested and confined in jail shall be treated with unnecessary rigor. Section 14. That no person shall
be put to answer any criminal charge but by presentment, indictment or impeachment. Section 15. That all prisoners shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident, or the presumption great. And the privilege of the writ of Habeas Corpus shall not be suspended, unless when in case of rebellion or invasion, the General Assembl
y shall declare the public safety requires it. Section 16. That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Section 17. That all courts shall be open; and every man, for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered with
out sale, denial, or delay. Suits may be brought against the state in such manner and in such courts as the Legislature may by law direct. Section 18. The Legislature shall pass no law authorizing imprisonment for debt in civil cases. Section 19. That the printing press shall be free to every person to examine the proceedings of the Legislature; or of any branch or officer of t
he government, and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions, is one of the invaluable rights of man and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty. But in prosecutions for the publication of papers investigating the official conduct of officers, o
r men in public capacity, the truth thereof may be given in evidence; and in all indictments for libel, the jury shall have a right to determine the law and the facts, under the direction of the court, as in other criminal cases. Section 20. That no retrospective law, or law impairing the obligations of contracts, shall be made. Section 21. That no man's particular services shall be d
emanded, or property taken, or applied to public use, without the consent of his representatives, or without just compensation being made therefore. Section 22. That perpetuities and monopolies are contrary to the genius of a free state, and shall not be allowed. Section 23. That the citizens have a right, in a peaceable manner, to assemble together for their common good, t
o instruct their representatives, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by address of remonstrance. Section 24. That the sure and certain defense of a free people, is a well regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the cir
cumstances and safety of the community will admit; and that in all cases the military shall be kept in strict subordination to the civil authority. Section 25. That no citizen of this state, except such as are employed in the army of the United States, or militia in actual service, shall be subjected to punishment under the martial or military law. That martial law, in the sense of the
unrestricted power of military officers, or others, to dispose of the persons, liberties or property of the citizen, is inconsistent with the principles of free government, and is not confided to any department of the government of this state. Section 26. That the citizens of this state have a right to keep and to bear arms for their common defense; but the Legislature shall have p
ower, by law, to regulate the wearing of arms with a view to prevent crime. Section 27. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law. Section 28. That no citizen of this state be compelled to bear arms, provided he will pay an equivalent, to be ascertained by law. Sectio
n 29. That an equal participation in the free navigation of the Mississippi, is one of the inherent rights of the citizens of this state; it cannot, therefore, be conceded to any prince, potentate, power, person or persons whatever. Section 30. That no hereditary emoluments, privileges, or honors, shall ever be granted or conferred in this state. Section 31. That the limits and boun
daries of this state be ascertained, it is declared they are as hereafter mentioned, that is to say: Beginning on the extreme height of the Stone Mountain, at the place where the line of Virginia intersects it, in latitude thirty-six degrees and thirty minutes north; running thence along the extreme height of the said mountain, to the place where Watauga river breaks through it; th
ence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain, between the waters of Doe river and the waters of Rock creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of said mountain, to the place where Nolichucky river runs through the same; then
ce to the top of the Bald Mountain; thence along the extreme height of said mountain to the Painted Rock on French Broad river; thence along the highest ridge of said mountain, to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of said mountain to the place where it is called Unicoi or Unaka Mountain, between the Indian town
s of Cowee and Old Chota; thence along the main ridge of the said mountain to the southern boundary of this state, as described in the act of cession of North Carolina to the United States of America; and that all the territory, lands and waters lying west of said line, as before mentioned, and contained within the chartered limits of the state of North Carolina, are within the
boundaries and limits of this state, over which the people have the right of exercising sovereignty, and the right of soil, so far as is consistent with the Constitution of the United States, recognizing the Articles of Confederation, the Bill of Rights and Constitution of North Carolina, the cession act of the said state, and the ordinance of Congress for the government of the terr
itory north west of Ohio; Provided, nothing herein contained shall extend to affect the claim or claims of individuals to any part of the soil which is recognized to them by the aforesaid cession act; And provided also, that the limits and jurisdiction of this state shall extend to any other land and territory now acquired, or that may hereafter be acquired, by compact or agreem
ent with other states, or otherwise, although such land and territory are not included within the boundaries herein before designated. Section 32. That the erection of safe prisons, the inspection of prisons, and the humane treatment of prisoners, shall be provided for. Section 33. That slavery and involuntary servitude, except as a punishment for crime, whereof the party sh
all have been duly convicted, are forever prohibited in this state. Section 34. The General Assembly shall make no law recognizing the right of property in man. Section 35. To preserve and protect the rights of victims of crime to justice and due process, victims shall be entitled to the following basic rights: (a) The right to confer with the prosecution. (b) The right to be free f
rom intimidation, harassment and abuse throughout the criminal justice system. (c) The right to be present at all proceedings where the defendant has the right to be present. (d) The right to be heard, when relevant, at all critical stages of the criminal justice process as defined by the General Assembly. (e) The right to be informed of all proceedings, and of the release, tran
sfer or escape of the accused or convicted person. (f) The right to a speedy trial or disposition and a prompt and final conclusion of the case after the conviction or sentence. (g) The right to restitution from the offender. (h) The right to be informed of each of the rights established for victims. The General Assembly has the authority to enact substantive and procedural laws
to define, implement, preserve and protect the rights guaranteed to victims by this section. Section 36. Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not li
mited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother. ARTICLE II. Distribution of Powers. Section 1. The powers of the government shall be divided into three distinct departments: legislative, executive, and judicial. Section 2. No person or persons belonging to one of these departments shall exercise any of the
powers properly belonging to either of the others, except in the cases herein directed or permitted. Legislative Department. Section 3. The legislative authority of this state shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both dependent on the people. Representatives shall hold office for two years and Senators for four
years from the day of the general election, except that the Speaker of the Senate and the Speaker of the House of Representatives, each shall hold his office as Speaker for two years or until his successor is elected and qualified, provided however, that in the first general election after adoption of this amendment senators elected in districts designated by even numbers sh
all be elected for four years and those elected in districts designated by odd numbers shall be elected for two years. In a county having more than one senatorial district, the districts shall be numbered consecutively. Section 4. The apportionment of senators and representatives shall be substantially according to population. After each decennial census made by the Burea
u of Census of the United States is available the General Assembly shall establish senatorial and representative districts. Nothing in this Section nor in this Article II shall deny to the General Assembly the right at any time to apportion one House of the General Assembly using geography, political subdivisions, substantially equal population and other criteria as factors; pr
ovided such apportionment when effective shall comply with the Constitution of the United States as then amended or authoritatively interpreted. If the Constitution of the United States shall require that legislative apportionment not based entirely on population be approved by vote of the electorate, the General Assembly shall provide for such vote in the apportionment ac
t. Section 5. The number of representatives shall be ninety-nine and shall be apportioned by the General Assembly among the several counties or districts as shall be provided by law. Counties having two or more representatives shall be divided into separate districts. In a district composed of two or more counties, each county shall adjoin at least one other county of such
district; and no county shall be divided in forming such a district. Section 5a. Each district shall be represented by a qualified voter of that district. Section 6. The number of senators shall be apportioned by the General Assembly among the several counties or districts substantially according to population, and shall not exceed one-third the number of representatives. Cou
nties having two or more senators shall be divided into separate districts. In a district composed of two or more counties, each county shall adjoin at least one other county of such district; and no county shall be divided in forming such a district. Section 6a. Each district shall be represented by a qualified voter of that district. Section 7. The first election for senators and r
epresentatives shall be held on the second Tuesday in November, one thousand eight hundred and seventy; and forever thereafter, elections for members of the General Assembly shall be held once in two years, on the first Tuesday after the first Monday in November. Said elections shall terminate the same day. Section 8. Legislative Sessions—Governor's Inauguration—
The General Assembly shall meet in organizational session on the second Tuesday in January next succeeding the electio n of the members of the House of Representatives, at which session, if in order, the governor shall be inaugurated. The General Assembly shall re main in session for organizational pur
poses not longer than fifteen consecutive calendar days, during which session no legislation shall be passed on thi rd and final consideration. Thereafter,
the General Assembly shall meet on the first Tuesday next fol lowing the conclusion of the organizational sess ion unless the General Assembly by j
oint resolution of both houses sets an earlier date. The Genera l Assembly may by joi nt resolution recess or adjourn until s
uch time or times as it shall determine. It shall be convened at other times by the governor as provide
d in Article III, Section 9, or by the presiding officers of both Ho uses at the written request of two-thirds o
f the members of each House. Section 9. No person shall be a representative unless he shall be a citizen o
f the United States, of the age of twenty-one years, and shall have been a citizen of this state for three year
s, and a resident in the county he represents one year, imm ediately preceding the election. Section 10. No
person shall be a senator unless he shall be a citizen of th e Unite d States, of the age of thirty years, and shall hav
e resided three years in this state, and one year in the cou nty or district, immediately preceding the election. No senator
or representative shall, during the time for which he was elected, be eligible to any office or place of trust, the appointm
ent to which is vested in the executive or the General As sem bly, except to the office of trustee of a literary institution. Sectio
n 11. The Senate and House of Representatives, when as semb led, shall each choose a speaker and its other officers; be judge
s of the qualifications and election of its members, and s it upon its own adjournments from day to day. Not less than two-thirds of all th
e members to which each house shall be entitled shall c onstitute a quorum to do business; but a smaller number may adjourn from day
to day, and may be authorized, by law, to compel the at tendance of absent members. Section 12. Each House may determine the rules o
f its proceedings, punish its members for disorderly b ehavior, and, with the concurrence of two-thirds, expel a member, but not a secon
d time for the same offense; and shall have all othe r powers necessary for a branch of the Legislature of a free state. Section 13. Senators a
nd representatives shall, in all cases, except trea son, felony, or breach of the peace, be privileged from arrest during the session of the Gen
eral Assembly, and in going to and returning fro m the same; and for any speech or debate in either House, they shall not be questioned in any
other place. Section 14. Each House may punis h, by imprisonment, during its session, any person not a member, who shall be guilty of disresp
ect to the House, by any disorderly or any con temptuous behavior in its presence. 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 su
ccessor shall be elected by the qualified v oters 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 of his or her election may elect a
n interim successor to serve until the ele ction. (b) When less than twelve months remain prior to the next general election for legislators, a successor shall be
elected by the legislative body of the repla ced legislator's county of residence at the time of his or her election. The term of any Senator so elected shall expire
at the next general election for legislators, a t which election a successor shall be elected. (c) Only a qualified voter of the district represented shall be eligible to s
ucceed to the vacant seat. Section 16. Neithe r House shall, during its session, adjourn without the consent of the other for more than three days, nor to any other place tha
n that in which the two Houses shall be sittin g. Section 17. Bills may originate in either House; but may be amended, altered or rejected by the other. No bill shall become la
w which embraces more than one subjec t, that subject to be expressed in the title. All acts which repeal, revive or amend former laws, shall recite in their caption, or oth
erwise, the title or substance of the la w repealed, revived or amended. Section 18. A bill shall become law when it has been considered and passed on three different d
ays in each House and on third and fina l consideration has received the assent of a majority of all the members to which each House is entitled under this Constitution,
when the respective speakers have signed the bill with the date of such signing appearing in the journal, a nd when the bill has been approved by the governor or otherwise passed under the provisions of this Constitution. Section 19. Af
ter a bill has been rejected, no bill containing the same substance shall be passed into a law during the same session. Section 20. The style of the laws of this state shall be, "Be it enacted by the General Assembly of the State of Tennessee." No law of a general nature shall take effect until forty days after its passage unless the same or the caption thereof shall state that th
e public welfare requires that it should take effect sooner. Section 21. Each House shall keep a journal of its proceedings, and publish it, except such parts as the welfare of the state may require to be kept secret; the ayes and noes shall be taken in each House upon the final passage of every bill of a general character, and bills making appropriations of public moneys; and
the ayes and noes of the members on any question, shall, at the request of any five of them, be entered on the journal. Section 22. The doors of each House and of committees of the whole shall be kept open, unless when the business shall be such as ought to be kept secret. Section 23. Each member of the General Assembly shall receive an annual salary of $1,800.00 per
year payable in equal monthly installments from the date of his election, and in addition, such other allowances for expenses in attending sessions or committee meetings as may be provided by law. The senators, when sitting as a Court of Impeachment, shall receive the same allowances for expenses as have been provided by law for the members of the General Assembl
y. The compensation and expenses of the members of the General Assembly may from time to time be reduced or increased by laws enacted by the General Assembly; however, no increase or decrease in the amount thereof shall take effect until the next general election for representatives to the General Assembly. Provided, further, that the first General Assembly meeting
after adoption of this amendment shall be allowed to set its own expenses. However, no member shall be paid expenses, nor travel allowances for more than ninety Legislative days of a regular session, excluding the organizational session, nor for more than thirty Legislative days of any extraordinary session. This amendment shall take effect immediately upon adoption s
o that any member of the General Assembly elected at a general election wherein this amendment is approved shall be entitled to the compensation set herein. Section 24. Appropriation of public moneys. No public money shall be expended except pursuant to appropriations made by law. Expenditures for any fiscal year shall not exceed the state's revenues and reserves, i
ncluding the proceeds of any debt obligation, for that year. No debt obligation, except as shall be repaid within the fiscal year of issuance, shall be authorized for the current operation of any state service or program, nor shall the proceeds of any debt obligation be expended for a purpose other than that for which it was authorized. In no year shall the rate of growth of appr
opriations from state tax revenues exceed the estimated rate of growth of the state's economy as determined by law. No appropriation in excess of this limitation shall be made unless the General Assembly shall, by law containing no other subject matter, set forth the dollar amount and the rate by which the limit will be exceeded. Any law requiring the expenditure of state f
unds shall be null and void unless, during the session in which the act receives final passage, an appropriation is made for the estimated first year's funding. No law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost. An accurate financial statement of the st
ate's fiscal condition shall be published annually. Section 25. No person who heretofore hath been, or may hereafter be, a collector or holder of public moneys, shall have a seat in either House of the General Assembly, or hold any other office under the state government, until such person shall have accounted for, and paid into the Treasury, all sums for which he may be a
ccountable or liable. Section 26. No judge of any court of law or equity, secretary of state, attorney general, register, clerk of any Court of Record, or person holding any office under the authority of the United States, shall have a seat in the General Assembly; nor shall any person in this state hold more than one lucrative office at the same time; provided, that no appointme
nt in the Militia, or to the Office of Justice of the Peace, shall be considered a lucrative office, or operative as a disqualification to a seat in either House of the General Assembly. Section 27. Any member of either House of the General Assembly shall have liberty to dissent from and protest against, any act or resolve which he may think injurious to the public or to any indivi
dual, and to have the reasons for his dissent entered on the journals. Section 28. In accordance with the following provisions, all property real, personal or mixed shall be subject to taxation, but the Legislature may except such as may be held by the state, by counties, cities or towns, and used exclusively for public or corporation purposes, and such as may be held and us
ed for purposes purely religious, charitable, scientific, literary or educational, and shall except the direct product of the soil in the hands of the producer, and his immediate vendee, and the entire amount of money deposited in an individual's personal or family checking or savings accounts. For purposes of taxation, property shall be classified into three classes, to wit: Rea
l Property, Tangible Personal Property and Intangible Personal Property. Real property shall be classified into four (4) subclassifications and assessed as follows: (a) Public Utility Property, to be assessed at fifty-five (55%) percent of its value; (b) Industrial and Commercial Property, to be assessed at forty (40%) percent of its value; (c) Residential Property, to be assessed a
t twenty-five (25%) percent of its value, provided that residential property containing two (2) or more rental units is hereby defined as industrial and commercial property; and (d) Farm Property, to be assessed at twenty-five (25%) percent of its value. House trailers, mobile homes, and all other similar movable structures used for commercial, industrial, or residential purpos
es shall be assessed as real property as an improvement to the land where located. The Legislature shall provide, in such a manner as it deems appropriate, tax relief to elderly, low-income taxpayers through payments by the state to reimburse all or part of the taxes paid by such persons on owner-occupied residential property, but such reimbursement shall not be an obli
gation imposed, directly or indirectly, upon counties, cities or towns. By general law, the legislature may authorize the following program of tax relief: (a) The legislative body of any county or municipality may provide by resolution or ordinance that: (1) Any taxpayer who is sixty-five (65) years of age or older and who owns residential property as the taxpayer's principal pla
ce of residence shall pay taxes on such property in an amount not to exceed the maximum amount of tax on such property imposed at the time the ordinance or resolution is adopted; (2) Any taxpayer who reaches the age of sixty-five (65) after the time the ordinance or resolution is adopted, who owns residential property as the taxpayer's principal place of residence, shall
thereafter pay taxes on such property in an amount not to exceed the maximum amount of tax on such property imposed in the tax year in which such taxpayer reaches age sixty-five (65); and (3) Any taxpayer who is sixty-five (65) years of age or older, who purchases residential property as the taxpayer's principal place of residence after the taxpayer's sixty- fifth birthday,
shall pay taxes in an amount not to exceed the maximum amount of tax imposed on such property in the tax year in which such property is purchased. (b) Whenever the full market value of such property is increased as a result of improvements to such property after the time the ordinance or resolution is adopted, then the assessed value of such property shall be adjusted
to include such increased value and the taxes shall also be increased proportionally with the value. (c) Any taxpayer or taxpayers who own residential property as their principal place of residence whose total or combined annual income or wealth exceeds an amount to be determined by the General Assembly shall not be eligible to receive the tax relief provided in subsect
ion (a) or (b). The Legislature may provide tax relief to home owners totally and permanently disabled, irrespective of age, as provided herein for the elderly. Tangible personal property shall be classified into three (3) subclassifications and assessed as follows: (a) Public Utility Property, to be assessed at fifty-five (55%) percent of its value; (b) Industrial and Commercial Pro
perty, to be assessed at thirty (30%) percent of its value; and (c) All other Tangible Personal Property, to be assessed at five (5%) percent of its value; provided, however, that the Legislature shall exempt seven thousand five hundred ($7,500) dollars worth of such tangible personal property which shall cover personal household goods and furnishings, wearing apparel and
other such tangible property in the hands of a taxpayer. The Legislature shall have power to classify intangible personal property into subclassifications and to establish a ratio of assessment to value in each class or subclass, and shall provide fair and equitable methods of apportionment of the value of same to this state for purposes of taxation. Banks, insurance compan
ies, loan and investment companies, savings and loan associations, and all similar financial institutions, shall be assessed and taxed in such manner as the Legislature shall direct; provided that for the year 1973, or until such time as the Legislature may provide otherwise, the ratio of assessment to value of property presently taxed shall remain the same as provided by la
w for the year 1972; provided further that the taxes imposed upon such financial institutions, and paid by them, shall be in lieu of all taxes on the redeemable or cash value of all of their outstanding shares of capital stock, policies of insurance, customer savings and checking accounts, certificates of deposit, and certificates of investment, by whatever name called, includin
g other intangible corporate property of such financial institutions. The ratio of assessment to value of property in each class or subclass shall be equal and uniform throughout the state, the value and definition of property in each class or subclass to be ascertained in such manner as the Legislature shall direct. Each respective taxing authority shall apply the same tax rat
e to all property within its jurisdiction. The Legislature shall have power to tax merchants, peddlers, and privileges, in such manner as they may from time to time direct, and the Legislature may levy a gross receipts tax on merchants and businesses in lieu of ad valorem taxes on the inventories of merchandise held by such merchants and businesses for sale or exchange.
The portion of a merchant's capital used in the purchase of merchandise sold by him to non- residents and sent beyond the state, shall not be taxed at a rate higher than the ad valorem tax on property. The Legislature shall have power to levy a tax upon incomes derived from stocks and bonds that are not taxed ad valorem. Notwithstanding the authority to tax privileges or
any other authority set forth in this Constitution, the Legislature shall not levy, authorize or otherwise permit any state or local tax upon payroll or earned personal income or any state or local tax measured by payroll or earned personal income; however, nothing contained herein shall be construed as prohibiting any tax in effect on January 1, 2011, or adjustment of the rat
e of such tax. This amendment shall take effect on the first day of January, 1973. Section 29. The General Assembly shall have power to authorize the several counties and incorporated towns in this state, to impose taxes for county and corporation purposes respectively, in such manner as shall be prescribed by law; and all property shall be taxed according to its value, up
on the principles established in regard to state taxation. But the credit of no county, city or town shall be given or loaned to or in aid of any person, company, association or corporation, except upon an election to be first held by the qualified voters of such county, city or town, and the assent of three-fourths of the votes cast at said election. Nor shall any county, city or to
wn become a stockholder with others in any company, association or corporation except upon a like election, and the assent of a like majority. But the counties of Grainger, Hawkins, Hancock, Union, Campbell, Scott, Morgan, Grundy, Sumner, Smith, Fentress, Van Buren, and the new county herein authorized to be established out of fractions of Sumner, Macon and Smith
Counties, White, Putnam, Overton, Jackson, Cumberland, Anderson, Henderson, Wayne, Cocke, Coffee, Macon, Marshall, and Roane shall be excepted out of the provisions of this section so far that the assent of a majority of the qualified voters of either of said counties voting on the question shall be sufficient when the credit of such county is given or loaned to any pers
on, association or corporation; provided, that the exception of the counties above named shall not be in force beyond the year one thousand eight hundred and eighty; and after that period they shall be subject to the three-fourths majority applicable to the other counties of the state. Section 30. No article manufactured of the produce of this state, shall be taxed otherwise t
han to pay inspection fees. Section 31. The credit of this state shall not be hereafter loaned or given to or in aid of any person, association, company, corporation or municipality; nor shall the state become the owner in whole or in part of any bank or a stockholder with others in any association, company, corporation or municipality. Section 32. No convention or General A
ssembly of this state shall act upon any amendment of the Constitution of the United States proposed by Congress to the several states; unless such convention or General Assembly shall have been elected after such amendment is submitted. Section 33. No bonds of the state shall be issued to any rail road company which at the time of its application for the same shall b
e in default in paying the interest upon the state bonds previously loaned to it or that shall hereafter and before such application sell or absolutely dispose of any state bonds loaned to it for less than par. ARTICLE III. Executive Department. Section 1. The supreme executive power of this state shall be vested in a governor. Section 2. The governor shall be chosen by the ele
ctors of the members of the General Assembly, at the time and places where they shall respectively vote for the members thereof. The returns of every election for governor shall be sealed up, and transmitted to the seat of government, by the returning officers, directed to the speaker of the Senate, who shall open and publish them in the presence of a majority of the memb
ers of each House of the General Assembly. The person having the highest number of votes shall be governor; but if two or more shall be equal and highest in votes, one of them shall be chosen governor by joint vote of both Houses of the General Assembly. Contested elections for governor shall be determined by both Houses of the General Assembly, in such manner as
shall be prescribed by law. Section 3. He shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a citizen of this state seven years next before his election. Section 4. The governor shall be elected to hold office for four years and until a successor is elected and qualified. A person may be eligible to succeed in office for additional four
year terms, provided that no person presently serving or elected hereafter shall be eligible for election to more than two terms consecutively, including an election to a partial term. One succeeding to the office vacated during the first eighteen calendar months of the term shall hold office until a successor is elected for the remainder of the term at the next election of memb
ers of the General Assembly and qualified pursuant to this Constitution. One succeeding to the office vacated after the first eighteen calendar months of the term shall continue to hold office for the remainder of the full term. Section 5. He shall be commander-in-chief of the Army and Navy of this state, and of the Militia, except when they shall be called into the service of th
e United States. But the Militia shall not be called into service except in case of rebellion or invasion, and then only when the General Assembly shall declare, by law, that the public safety requires it. Section 6. He shall have power to grant reprieves and pardons, after conviction, except in cases of impeachment. Section 7. He shall, at stated times, receive a compensation fo
r his services, which shall not be increased or diminished during the period for which he shall have been elected. Section 8. He may require information in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices. Section 9. He may, on extraordinary occasions, convene the General Assembly by proclamation, in
which he shall state specifically the purposes for which they are to convene; but they shall enter on no legislative business except that for which they were specifically called together. Section 10. He shall take care that the laws be faithfully executed. Section 11. He shall, from time to time, give to the General Assembly information of the state of the government, and recom