



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: August 4, 2026

DEPARTMENT: Legislative

DIRECTOR: City Council

AGENDA SUMMARY An Ordinance to amend the Charter of the City of Knoxville by amending Article VII, Section 707 so as to change the manner of holding elections in the city of Knoxville to align with state law and adopt other improvements, including allowing at-large candidates with the majority of votes to be elected in the primary and adopting language to prevent the occurrence of a tie in the primary election.

COUNCIL DISTRICT(S) AFFECTED

All

BACKGROUND

Article VII, Section 707 of the City Charter establishes the manner in which the city of Knoxville holds elections. The Tennessee General Assembly's passage of Public Chapter 391, Acts of 2023, which prohibits any municipality or county from maintaining or establishing an election procedure that requires candidates to be nominated from districts and elected at large, made the process for district council elections outlined currently in the Charter contradictory to State law. In 2024, the Knoxville City Council voted to place a charter amendment before city voters that would have adopted an at-large voting system that elected all city council representatives in the primary as well as the regular election by citywide vote to align Knoxville's city elections with state law. The charter amendment also addressed the occurrence of a tie during the primary and allowed for both regional at-large as well as citywide at-large candidates to be declared elected in the primary if they receive a majority of the votes.

The charter amendment was rejected by the voters. The ordinance being proposed currently is similar to the ordinance Council member Parker introduced in 2024 that creates district-only elections for candidates for district council representative as well as addressing the occurrence of a tie during the primary and allowing at-large candidates to win their election in the primary if they receive the majority of votes. Although the voters rejected the at-large voting system, voters did approve an amendment to the Charter in 2024 to align District 5 council elections with all other District council elections. With this change, only at large council candidates would be unable to be elected in the primary with a majority of the votes during the year in which elections are held for mayor, municipal judge, and council at large. This ordinance will align the election rules for all elections happening in the same year, removing any potential confusion or redundancy from the election process. Lastly, the 2017 city council primary election resulted in a tie, bringing to the public's attention that city council is required by state law to resolve a tie in council elections. Although calling for a runoff is an option available to city council in the event of a

tie, the election calendar does not allow enough time for a runoff before the regular election, which is considered the runoff. This ordinance adopts language that would prevent the occurrence of a tie in the primary election. Should a tie occur in the regular election, the city council would maintain the authority to select the winner or call for a runoff.

The proposed amendments contained herein:

- 1) transition district council elections to a district-only election system, aligning the language in the city charter with State law and current practice,
- 2) establish that at large candidates may be elected in the primary with a majority of the votes, mirroring the same rules for mayor and municipal judge elections which take place in the same year as at large elections; and
- 3) establish that candidates placed on the Regular election ballot shall be candidates receiving the two (2) highest number of votes in the Primary except when the tie occurs for first place at which point only the candidates with the highest number of votes will be placed on the ballot in the Regular election unless a candidate for mayor, municipal judge, or council at large receives the majority of votes in the Primary, removing the possibility of a tie in primary elections.

OPTIONS

Approve the ordinance, authorizing a vote of the citizens on the issue; amend then approve the ordinance, authorizing a vote of the citizens; or disapprove the ordinance.

RECOMMENDATION

Approve the ordinance.

ESTIMATED PROJECT SCHEDULE

City Council must consider the proposed Ordinance on two readings, and the approved Ordinance must be published, in a newspaper of general circulation, not less than twenty (20) days nor more than thirty (30) days before the November general election per [T.C.A. § 2-12-111](#). In addition, T.C.A. [T.C.A. § 2-3-204](#) requires that the election commission be notified of a referendum between 75 and 90 days prior to the election. To ensure military ballots are not delayed and to comply with state law, the proposed Ordinance should be approved on second reading as soon as possible and no later than August 18, 2026 (assuming City Council meets at its regularly scheduled times).

PRIOR ACTION/REVIEW

A version of this ordinance appeared on the Knoxville City Council agenda on August 6, 2024. After the adoption of Ordinance No. 0-98-2024 at the same meeting, which was approved as an emergency measure, this subsequent ordinance failed.

FISCAL INFORMATION

ATTACHMENTS:

ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND THE CHARTER OF THE CITY OF KNOXVILLE, SPECIFICALLY CHAPTER 412 OF THE PRIVATE ACTS OF 1923 OF THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, ENTITLED, "AN ACT TO INCORPORATE THE CITY OF KNOXVILLE AND KNOX COUNTY, TENNESSEE, AND DEFINE THE RIGHTS, POWERS AND LIABILITIES OF THE SAME; TO FIX THE BOUNDARIES OF SAID MUNICIPALITY, AND REPEAL ALL ACTS OR PARTS OF ACTS IN CONFLICT WITH THIS ACT," AND ALL ACTS AMENDATORY THERETO, BY AMENDING ARTICLE VII, SECTIONS 707(A), (B), AND (C) SO AS TO REFLECT THE PROCESS FOR PRIMARY AND REGULAR ELECTIONS OF COUNCIL MEMBERS IMPLEMENTED IN 2025 TO BE CONSISTENT WITH PUBLIC CHAPTER 391, ACTS OF 2023, INCLUDING ESTABLISHING BY CHARTER THAT ONLY VOTERS WITHIN A CITY DISTRICT SHALL VOTE IN A COUNCIL DISTRICT ELECTION RATHER THAN ALL CITY VOTERS ELECTING DISTRICT CANDIDATES IN THE REGULAR ELECTION, AND ESTABLISHING THAT AT LARGE CANDIDATES MAY BE ELECTED IN THE PRIMARY WITH A MAJORITY OF THE VOTES RATHER THAN REQUIRING THE ELECTION OF AT LARGE CANDIDATES IN THE REGULAR ELECTION, AND CHANGING THE CANDIDATES PLACED ON THE REGULAR ELECTION BALLOT TO CANDIDATES RECEIVING THE TWO (2) HIGHEST NUMBER OF VOTES IN THE PRIMARY RATHER THAN THE TWO (2) CANDIDATES WITH THE HIGHEST NUMBER OF VOTES, AND FURTHER PROVIDING FOR THE SUBMISSION OF THIS ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF KNOXVILLE FOR APPROVAL AS PROVIDED IN ARTICLE XI, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE.

ORDINANCE NO: _____

REQUESTED BY: Councilwoman Amelia Parker

PREPARED BY: Council

APPROVED ON 1ST

READING: _____

APPROVED ON 2ND

READING: _____

APPROVED AS AN EMERGENCY MEASURE: _____

MINUTE BOOK: _____ PAGE _____

WHEREAS, Article VII, Section 707 of the Charter of the City of Knoxville provides the manner in which elections are held in the City of Knoxville; and

WHEREAS, on August 6, 2024, the Knoxville City Council considered two different ordinances intended to alter the manner in which the city holds elections in response to the Tennessee General Assembly's passage of Public Chapter 391, Acts of 2023, which put Knoxville's prior process for electing district representatives to city council in conflict with state law; and

WHEREAS, the ordinance approved by the Knoxville City Council on August 6, 2024 and put before city voters as a proposed charter amendment would have adopted at-large voting for all city council elections, allowed at-large candidates to win in the primary election with a majority of the vote, and included language to address the occurrence of a tie but was subsequently voted down by voters during the November 2024 general election; and

WHEREAS, Section 707 of the Charter of the City of Knoxville currently provides that the two (2) candidates receiving the highest number of votes shall be placed on the regular election ballot; and

WHEREAS, the traditionally low voter turnout in city council primary elections increases the chances that candidates may tie with each other during the primary election and in fact a tie did occur in the August 2017 primary elections of the Council of the City of Knoxville; and

WHEREAS, time does not allow for a runoff election to resolve a tie occurring in the primary election; and

WHEREAS, state law dictates that the Council of the City of Knoxville, as the governing body, must determine which candidate in the case of a tie will move on to the regular election, whether by Council's vote or through a run-off election; and

WHEREAS, state law does not require city elections to limit the regular general election to the participation of two (2) candidates; and

WHEREAS, since 2022, much debate and discussion has taken place among council members regarding potential language to adopt to address the occurrence of a tie in city elections rather than requiring council members to resolve the tie; and

WHEREAS, following consultation with MTAS – the Municipal Technical Advisory Service, the language in this proposed ordinance is based on their recommended language; and

WHEREAS, Article VII, Section 707 of the Charter of the City of Knoxville currently

provides that candidates for both mayor and municipal judge, whose election occurs in the same year as the at large candidates, may be elected in the primary when a candidate receives a majority of the votes, however the same is not possible for at large candidates; and

WHEREAS, changing at large elections to allow the election of at large candidates in the primary with a majority of the votes would better align city elections occurring in the same year and prevent potential confusion among voters; and

WHEREAS, this updated ordinance is being reintroduced to align Knoxville's elections with state law and current practice as well as resubmit to the voters the proposal to allow at-large candidates to be elected in the primary with a majority of votes as well as to adopt language to prevent the occurrence of a tie in any city election; and

WHEREAS, the Council of the City of Knoxville finds that amending Article VII, Section 707(A), (B), and (C) of the Charter of the City of Knoxville to allow at large candidates to be elected in the primary with a majority of the votes, to change who shall be placed on the regular election ballot to include all candidates receiving the two (2) highest number of votes or in the case of a tie for first place only the top vote getter and all candidates to receive the second highest vote total, and to align the manner in which the City of Knoxville holds council district elections with current practice as well as state law as adopted under Public Chapter 391, Acts of 2023 will not present a hardship and is in the best interest of the citizens of the city of Knoxville.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: Pursuant to the provisions of Article XI, Section 9 of the Constitution of the State of Tennessee (the City of Knoxville being a home rule municipality within the provisions thereof), the amendment set forth in the Section below is hereby proposed to the Charter of the City of Knoxville, specifically Chapter 412 of the Private Acts of 1923 as amended, of the General Assembly of the State of Tennessee, the caption of which is quoted in the caption hereof, and shall be submitted to the qualified voters of the City of Knoxville for their approval or disapproval in the general state election to be concluded on November 3, 2026, and, if approved by a majority of those voting on the question posed in Section 5 below, shall be effective as hereinafter provided.

SECTION 2: Article VII, Section 707 of the Charter of the City of Knoxville, entitled "Manner of holding elections", shall be amended by deleting the existing sections A, B, and C, and

substituting in its place the following language:

(A) *Mayor*. All candidates for mayor shall run in the primary and the candidates receiving the two (2) highest number of votes shall be placed on the regular election ballot. However, if more than one candidate receives the highest number of votes in the primary election, then only those candidates receiving the highest number of votes shall be placed on the regular election ballot. If proceeding to the regular election and only one candidate receives the highest number of votes and more than one candidate receives the second highest number of votes in the primary election, then the candidate receiving the highest number of votes and all those candidates receiving the second highest number of votes shall be placed on the regular election ballot. Provided, however, any candidate for mayor receiving a majority of all the votes cast for the office of mayor in the primary shall be declared elected without the necessity of a runoff in the regular election and a certificate of election shall be issued to such candidate by the officials responsible for holding the election.

(B) *Members of the council*—By district. Candidates shall be listed by districts on the official ballot in the primary and regular elections. The voters within each district may vote for not more than one (1) candidate in the primary election. The candidates receiving the two (2) highest number of votes in each district in the primary shall be placed on the regular election ballot. However, if more than one candidate receives the highest number of votes in the primary election, then only those candidates receiving the highest number of votes shall be placed on the regular election ballot. If proceeding to the regular election and only one candidate receives the highest number of votes and more than one candidate receives the second highest number of votes in the primary election, then the candidate receiving the highest number of votes and all those candidates receiving the second highest number of votes shall be placed on the regular election ballot. In the regular election, voters within each district may vote for not more than one (1) candidate, and the candidate from each district receiving the most votes shall be declared elected.

(C) *Members of the council*—At large. There shall be three (3) at large members of the city council, with each at large councilmanic position designated as seat A, seat B, or seat C. Any at large candidate for the council shall designate upon qualifying for election the particular designated seat which the candidate seeks. For each designated at large seat there shall be a primary election of all voters in the city. In the primary election all voters in the city may vote for one (1) candidate for each designated at large seat. The candidates receiving the two (2) highest number of votes for each designated at large seat in the primary election shall be placed on the regular election ballot. However, if more than one candidate receives the highest number of votes in the primary election, then only those candidates receiving the highest number of votes shall be placed on the regular election ballot. If proceeding to the regular election and only one candidate receives the highest number of votes and more than one candidate receives the second highest

number of votes in the primary election, then the candidate receiving the highest number of votes and all those candidates receiving the second highest number of votes shall be placed on the regular election ballot. Provided, however, that any candidate receiving a majority of all the votes cast for that designated seat in the primary shall be declared elected without the necessity of a runoff, and a certificate of election shall be issued to such candidate by the officials responsible for holding the election. In the regular election, all voters in the city may vote for one (1) candidate for each designated at large seat on the regular election ballot. The candidate for each designated at large seat receiving the most votes shall be declared elected.

SECTION 3: If any provision of this Ordinance is held to be invalid, such invalidity shall not affect any other provision or section of this Ordinance.

SECTION 4: The proposed amendment to the Charter of the City of Knoxville as set forth in Section 2 above shall be published and submitted to the qualified voters of the City of Knoxville for their approval or disapproval in the general state election to be concluded on November 3, 2026, all as provided in Article XI, Section 9 of the Constitution of the State of Tennessee.

SECTION 5: The Commissioners of Election for Knox County, Tennessee are requested and directed to place on the ballot for the general state election to be concluded on November 3, 2026 for submission to the qualified voters of the City of Knoxville the following question:

CHARTER AMENDMENT SUBMITTED BY THE COUNCIL OF THE CITY OF KNOXVILLE PERTAINING TO THE ELECTION OF CITY COUNCIL:

SHALL ARTICLE VII, SECTION 707 OF THE CHARTER OF THE CITY OF KNOXVILLE, ENTITLED, "MANNER OF HOLDING ELECTIONS" BE AMENDED SO AS TO REFLECT THE PROCESS FOR PRIMARY AND REGULAR ELECTIONS OF COUNCIL MEMBERS IMPLEMENTED IN 2025 TO BE CONSISTENT WITH PUBLIC CHAPTER 391, ACTS OF 2023, INCLUDING ESTABLISHING THAT ONLY VOTERS WITHIN A CITY DISTRICT SHALL VOTE IN A COUNCIL DISTRICT ELECTION, AND TO ESTABLISH THAT AT LARGE CANDIDATES RECEIVING A MAJORITY OF VOTES IN THE PRIMARY ELECTION SHALL BE DECLARED ELECTED WITHOUT THE NECESSITY OF A RUNOFF IN THE REGULAR ELECTION; AND TO ESTABLISH THAT ONLY CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES SHALL BE PLACED ON THE REGULAR ELECTION BALLOT IF MORE THAN ONE CANDIDATE RECEIVES THE HIGHEST NUMBER OF VOTES, AND IF ONLY ONE CANDIDATE RECEIVES THE HIGHEST NUMBER OF VOTES AND MORE THAN ONE CANDIDATE RECEIVES THE SECOND HIGHEST NUMBER OF VOTES, THE CANDIDATE WITH THE HIGHEST NUMBER OF VOTES AND ALL CANDIDATES WITH THE SECOND HIGHEST NUMBER OF VOTES SHALL BE PLACED ON THE REGULAR ELECTION BALLOT PROVIDED, HOWEVER, ANY CANDIDATE

FOR MAYOR, MUNICIPAL JUDGE, OR COUNCIL AT LARGE RECEIVING A MAJORITY OF THE VOTES IN THE PRIMARY SHALL BE DECLARED ELECTED WITHOUT THE NECESSITY OF A RUNOFF IN THE REGULAR ELECTION, ALL AS MORE FULLY SET FORTH IN ORDINANCE No. _____ OF THE CITY OF KNOXVILLE AS DULY PUBLISHED?

THE CHIEF FINANCIAL OFFICER'S COST ESTIMATE OF THE PROPOSED CHARTER AMENDMENT IS \$0.

_____ **FOR THE AMENDMENT** _____ **AGAINST THE AMENDMENT**

SECTION 6: This amendment to the Charter of the City of Knoxville hereby proposed shall become effective sixty (60) days after November 3, 2026, if approved by a majority of the qualified voters voting thereon in the general state election concluding on said date, as provided in Article XI, Section 9, of the Constitution of the State of Tennessee.

SECTION 7: This Ordinance shall take effect seventeen (17) days from and after its passage, the public welfare requiring it.

Presiding Officer of the Council

Recorder