



## NEWS RELEASE

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**FOR IMMEDIATE RELEASE:** August 15, 2014

### **State Election Coordinator advises on filling Council vacancy**

**MURFREESBORO, Tenn.** – The State Coordinator of Elections, Mark Goins, has advised Murfreesboro City Attorney Susan McGannon that a state law dealing with vacancies in county offices should be used to place a City Council position on the November 4, 2014 ballot.

According to Mr. Goins, TCA 5-1-104, should be used to determine the qualifying date for a municipal election. This would mean that 12 noon on Wednesday, September 10, 2014 would be the deadline for qualifying petitions to be filed with the Rutherford County Election Commission for the November 4, 2014, general election. A special election is not required. A copy of Ms. McGannon's letter to the Mayor and Council is attached.

Earlier this week, the City Attorney had written a letter to the City Council on filling the vacancy of Council member Toby Gilley following Gilley's election Aug. 7, as General Sessions judge. Councilman Gilley had advised the City Attorney that he doesn't intend to resign prior to September 1. McGannon had advised the Council that while an election for Gilley's unexpired portion of his Council term could potentially be held as part of the November 2014 general election, it appeared, based on state law, that the vacancy would need to be created in sufficient time for the qualifying petition to be filed on or before August 21, 2014. The Election Coordinator's view of TCA 5-1-104, however, would provide sufficient time for the qualifying petitions to be filed for the November 4, 2014 ballot.

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