

QUALIFICATIONS FOR ELECTED OFFICES IN TENNESSEE

UNITED STATES PRESIDENT

- 35 years of age; natural-born citizen; and a resident within the United States for 14 years. (US Constitution Article 2, Section 1[5])

UNITED STATES SENATOR

- 30 years of age; Citizen of United States for 9 years; and a Tennessee resident. (US Constitution Article 1, Section 3)
- Shall be a citizen of this State for three (3) years, and resident in the county represented one (1) year, immediately preceding the election. (T.C.A. § 2-13-209)
- To qualify in a primary election, shall have been a citizen of this State for three (3) years, and resident in the county represented one (1) year, immediately preceding the election.

UNITED STATES REPRESENTATIVE

- 25 years of age; Citizen of United States for 7 years; and a Tennessee resident. (US Constitution Article 1, Section 2)
- Shall be a citizen of this State for three (3) years, and resident in the county represented one (1) year, immediately preceding the election. (T.C.A. § 2-13-209)
- To qualify in a primary election, shall have been a citizen of this State for three (3) years, and resident in the county represented one (1) year, immediately preceding the election.

GOVERNOR

- Shall be at least thirty (30) years of age, shall be a citizen of the United States, and shall have been a citizen of this State 7 years before the election. (TN Constitution Article 3, Section 3)

STATE EXECUTIVE COMMITTEE

- In each party's primary, its voters in each senatorial district shall elect one (1) man and one (1) woman as members of the state executive committee. (T.C.A. § 2-13-103)
- Shall be bona fide members of the political party whose election they seek. (T.C.A. § 2-13-104)

STATE SENATOR

- Shall be a citizen of the United States, at least 30 years of age, and shall have resided 3 years in this State and 1 year in the county or district represented immediately preceding the election. (TN Constitution Article 2, Sect. 10)
- Each district shall be represented by a qualified voter of that district. (TN Constitution Article 2, Section 6a)

STATE REPRESENTATIVE

- Shall be a citizen of the United States, at least 21 years of age, and shall have resided 3 years in this State and 1 year in the county represented immediately preceding the election. (TN Constitution Article 2, Section 9)
- Each district shall be represented by a qualified voter of that district. (TN Constitution Article 2, Section 5a)

TENNESSEE SUPREME COURT JUDGE

- Shall be at least 35 years of age and a resident of the state for 5 years. (TN Constitution Article 6, Section 3, T.C.A. § 17-1-101, T.C.A. § 17-1-103)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (T.C.A. § 17-1-106)

TENNESSEE COURT OF APPEALS JUDGE

- Shall be at least 30 years of age and a resident of the state for 5 years. (TN Constitution Article 6, Section 4)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (T.C.A. § 17-1-106)
- Shall reside in the grand division of the state from which they seek election. (T.C.A. § 16-4-102)

TENNESSEE COURT OF CRIMINAL APPEALS JUDGE

- Shall be a citizen of the United States, at least 30 years of age and a resident of the state for 5 years. (TN Constitution Article 6, Section 4, T.C.A. § 16-5-102)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (T.C.A. § 17-1-106)
- Shall reside in the grand division of the state from which they seek election. (T.C.A. § 16-5-102)

CHANCELLOR

- Shall be at least 30 years of age and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 4)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (T.C.A. § 17-1-101, 17-1-102, 17-1-103, 17-1-106)

CIRCUIT COURT JUDGE/CRIMINAL COURT JUDGE

- Shall be at least 30 years of age and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 4)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (T.C.A. § 17-1-101, 17-1-102, 17-1-103, 17-1-106)

GENERAL SESSIONS/JUVENILE COURT JUDGE

- Shall be at least 30 years of age and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 4)
- Shall be licensed to practice law in this state. (T.C.A. § 16-15-5005)

DISTRICT ATTORNEY GENERAL

- Shall be a duly licensed attorney admitted to the practice of law in this state and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 5)

DISTRICT PUBLIC DEFENDER

- Shall be a duly licensed attorney admitted to the practice of law in this state and a resident of the state for 5 years and of the judicial district for 1 year. (T.C.A. § 8-14-202)

COUNTY MAYOR/ COUNTY EXECUTIVE

- Shall be:
 - (1) A qualified voter of the county;
 - (2) At least 25 years of age; and
 - (3) A resident of the county for at least 1 year prior to the date of filing a nominating petition for election to such office.
- Shall continue to reside in the county during the term of office and shall not, during the term of office, hold any other public office for profit. (T.C.A. § 5-6-104)

COUNTY COMMISSION

- Shall be a resident of the county for one (1) year prior to the date of the qualifying deadline (T.C.A. § 5-5-102); and
- Members shall reside within and be a qualified voter of the district represented. (T.C.A. § 5-5-102)

SHERIFF

- No person shall engage in the practice of law or serve as a member of the general assembly while serving as sheriff. (T.C.A. § 8-8-101)
- A person shall:
 1. Be a citizen of the United States;
 2. Be at least 25 years of age prior to the date of qualifying for election;
 3. Be a qualified voter of the county and a resident of the county for one (1) full year prior to the date of the qualifying deadline;
 4. Have obtained a high school diploma or its equivalent in educational training as recognized by the Tennessee state board of education;
 5. Not have been convicted of or pleaded guilty to or entered a plea of nolo contendere to any misdemeanor crime of domestic violence or any felony charge or any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor or controlled substances;
 6. Be fingerprinted and have the Tennessee Bureau of Investigation make a search of local, state, and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of the T.B.I. It shall be the responsibility of the T.B.I. to forward all criminal history results to the Peace Officer Standards and Training (POST) commission for evaluation of qualifications;
 7. Not have been released, separated, or discharged from the Armed Forces of the United States with a Dishonorable or Bad Conduct discharge, or as a consequence of conviction at court martial for either state or federal offenses;
 8. Have been certified by a Tennessee licensed health care provider qualified in the psychiatric or psychological fields as being free any disorder, as set forth in the current edition of the Diagnostic and Statistical Manual of Mental Disorders, Third Edition (DSM III) or its successor, of the American Psychiatric Association; at the time of the examination, that would, in the professional judgment of the examiner, impair the subject's ability to perform any essential function of the job; and

9. Have at least three (3) years of full-time experience as a peace officer standards and training commission certified law enforcement officer in the previous ten (10) years or at least three (3) years of full-time experience as a state or federal certified law enforcement officer with training equivalent to that required by the peace officer standards and training commission in the previous ten (10) years. (This requirement does not apply in any county having a metropolitan form of government where the sheriff does not have law enforcement powers.)
10. Not have been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge or violation of any federal or state laws relating to controlled substance analogues.
11. Shall file with the POST Commission,
 - (A) An affidavit sworn to and signed by the candidate affirming that the candidate meets the requirements of this section; and
 - (B) A confirmation of psychological evaluation form certified by the psychologist/psychiatrist providing psychological evaluation as provided for in §8-8-102(a) (8) for the purposes of sheriff candidacy qualification.

TRUSTEE

- Be a qualified voter of the county and a resident of the county for one (1) year prior to the date of the qualifying deadline for running as a candidate for trustee (T.C.A. § 8-11-113); and

REGISTER OF DEEDS

- Be a qualified voter in the county and resident of the county for one (1) year prior to the date of the qualifying deadline for running as a candidate for register (T.C.A. § 8-13-119); and

CIRCUIT COURT CLERK

- Be a qualified voter in the county and resident of the county or district for one (1) year prior to the date of the qualifying deadline for running as a candidate for circuit court clerk (T.C.A. § 18-4-101); and
- Shall reside in the county wherein the court is held. (T.C.A. § 18-1-102)

COUNTY CLERK

- Be a qualified voter of the county and a resident of the county for one (1) year prior to the date of the qualifying deadline for running as a candidate for the county clerk (T.C.A. § 18-6-101); and

ASSESSOR OF PROPERTY

- Be a qualified voter of the county and a resident of the county for one (1) year prior to the date of the qualifying deadline for running as a candidate for the assessor of property (T.C.A. § 67-1-515); and
- No member of the county legislative body shall be eligible to hold the office of assessor. (T.C.A. § 67-1-503)

COUNTY HIGHWAY CHIEF ADMINISTRATIVE OFFICER

- Be a qualified voter of the county and a resident of the county for one (1) year prior to the qualifying or appointment deadline, as appropriate (T.C.A. § 54-7-104 (g)(1));
- Shall file affidavits and such other evidence as the Tennessee Highway Officials Certification Board shall require with the board not later than fourteen (14) days prior to the qualifying deadline for candidates in a popular election or, where the position is appointed, prior to appointment to the office. (T.C.A. § 54-7-104)
- A person shall have at least a high school diploma or GED and meet one of the following criteria:
 - (1) Be licensed to practice engineering in Tennessee; or
 - (2) Be a graduate of an accredited school of engineering, with at least 2 years' experience in highway construction or maintenance; or
 - (3) Have a combination of education and experience equivalent to either of the above; or
 - (4) Have at least 4 years' experience in a supervisory capacity in highway construction or maintenance. (T.C.A. § 54-7-104)

COUNTY SCHOOL BOARD (*See City Charter for Qualifications of City School Board Members*)

- Be a qualified voter of the county and a resident of the county for one (1) year prior to the date of the qualifying deadline for running as a candidate for the board of education (T.C.A. § 49-2-202(a)(1));
- Shall reside within and be a qualified voter of the district represented. (T.C.A. § 49-2-201); and
- Shall file with the county election commission proof of graduation from high school or receipt of a GED, evidenced by a diploma or other documentation satisfactory to the commission. (T.C.A. § 49-2-202)
- No member of the county legislative body nor any other county official shall be eligible for election as a member of the county board of education. (T.C.A. § 49-2-202)

CONSTABLE

- A person shall:
 - (1) Be at least 21 years of age;
 - (2) Be a qualified voter of the district and a resident of the county for one (1) year prior to the date of the qualifying deadline for running as a candidate for constable;
 - (3) Possess at least a high school diploma or general educational development certificate (GED). Persons holding the office on or before June 30, 2011, and those reelected after July 1, 2011 without an interruption of service in the office shall only be able to read and write;
 - (4) Not have been convicted in any federal or state court of a felony; and
 - (5) Not have been separated or discharged from the armed forces of the United States with other than an honorable discharge;
- Shall file with the county election commission, in conjunction with the nominating petition:
 - 1) an affidavit sworn to and signed by the candidate affirming that the candidate meets the requirements of this section, and
 - 2) a letter from a psychologist licensed in this state who has conducted a cognitive and psychological test on the candidate stating that the candidate is mentally and cognitively fit to perform the duties of a constable. (T.C.A. § 8-10-102)

- A constable in office on and elected prior to July 1, 2023, or a constable who filed a letter from a psychologist and is seeking reelection on or after July 1, 2023, is not required to resubmit the letter or obtain a new letter.
- Candidates who must submit a letter from a psychologist are responsible for covering the costs of cognitive and psychological testing.

EXCEPTIONS TO CONSTABLE REQUIREMENTS:

- Scott County: A person who has served in the office of constable for ten (10) years or more does not have to meet the requirements listed in number (5) above.