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ATTORNEY GENERAL SKRMETTI ANNOUNCEMENT RELATED TO *THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY V. LEE*

Nashville- Tennessee Attorney General Jonathan Skrmetti announced today that as a result of the recent ruling issued by the three-judge court in *The Metropolitan Government of Nashville and Davidson County v Lee* case, the legislative cap on the size of metropolitan government councils and commissions will not take effect in Davidson County until the 2027 election.

In its opinion, the Court largely affirmed Chapter 21 of the 2023 Tennessee Public Acts. This Act established a cap of twenty voting members for metropolitan and municipal councils. The Court enjoined only the transitional provisions that would require metropolitan governments to come into compliance in the short term with the law's cap on the number of voting council/commission members. Apart from this narrow injunction, no other part of the law was affected.

The Court left intact the Act's operative provision, which establishes a 20-member cap on metropolitan legislatures. The majority of the Court concluded that the plaintiffs, including Metro Nashville, are "*not likely to succeed on their claim that [the 20-member cap] violates . . . the Tennessee Constitution.*"

Since the Court has for now upheld the substantive provisions of the Act, the State does not plan to appeal the preliminary injunction. As a result, that injunction will govern the upcoming Metro Nashville election, and the council's size will not be capped this year. The scope of the injunction does not extend to future elections, and the Office of the Attorney General understands the current state of the law to be that the size of all metropolitan councils will be capped at twenty in future elections.

"Clarity about the law is important, both now and in the years to come," said General Skrmetti, "While the Court did enjoin the short-term, transitional provisions of the new law in Davidson County, the result of this litigation to date is that the cap on the size of metropolitan councils has been delayed but not been defeated."

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