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MUNICIPAL GOVERNANCE - TENNESSEE

Metropolitan Government of Nashville and Davidson County v. Lee

Supreme Court of Tennessee - November 2, 2026 - S.W.3d - 2026 WL 3300680

County metropolitan government brought an action for declaratory and injunctive relief against Governor, Speaker of the Senate, and Speaker of the House, challenging state legislation that vacated and reconstituted the metropolitan airport authority's board of commissioners to give state officials, rather than metropolitan officials, the authority to appoint the majority of members on the board, and alleging that the law violated the Law of the Land Clause, Local Legislation Clause, and Anti-Ripper Clause of the Tennessee Constitution.

A three-judge panel of the Chancery Court granted summary judgment to metropolitan government, holding the challenged provisions unconstitutional, enjoining enforcement, and eliding the offending sections. State officials appealed. The Court of Appeals reversed as to the Law of the Land Clause but affirmed that the law violated the Local Legislation Clause without reaching the Anti-Ripper Clause.

The Supreme Court granted state officials' application for permission to appeal.

The Supreme Court held that metropolitan government's challenge to legislation reconstituting the metropolitan airport authority's board of commissioners was moot after legislative amendments cured the alleged constitutional defects.

County metropolitan government's challenge to state legislation that vacated and reconstituted the metropolitan airport authority's board of commissioners to give state officials, rather than metropolitan officials, the authority to appoint the majority of members on the board was moot, where the legislature's amendments to the statute had since repealed the provisions that allegedly violated the Local Legislation Clause and Anti-Ripper Clause of the Tennessee Constitution, thereby curing the alleged legal defect in the law, a declaration of unconstitutionality and an injunction barring implementation would provide no meaningful judicial relief, and the voluntary cessation doctrine did not apply because it could not reasonably be expected that the challenged conduct would recur.

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