

IN THE CHANCERY COURT FOR THE TWENTIETH JUDICIAL DISTRICT
DAVIDSON COUNTY, TENNESSEE

THE METROPOLITAN
GOVERNMENT OF NASHVILLE
AND DAVIDSON COUNTY,
TENNESSEE,

Plaintiff,

v.

BILL LEE, in his official capacity as
Governor for the State of Tennessee,
RANDY MCNALLY, in his official
capacity as Speaker of the Senate of
the State of Tennessee, and
CAMERON SEXTON, in his official
capacity as the Speaker of the House
of Representatives of the State of
Tennessee,

Defendants.

Case No. _____

COMPLAINT

Plaintiff Metropolitan Government of Nashville and Davidson County (“Metro Nashville”) seeks a declaratory judgment and injunctive relief from implementation of 2023 Public Acts chap. 410 (hereinafter, the “Nashville Sports Authority Act” or the “Act,” attached as Ex. 1), which Defendant Governor Bill Lee signed into law on May 11, 2023. The Act fundamentally changes the structure of the Sports Authority of the Metropolitan Government of Nashville and Davidson County (the “Nashville Sports Authority” or the “Authority”) by vacating the Nashville Sports Authority’s current thirteen-member board of directors on January 1, 2024, reappointing seven people who were the longest standing board members as of June 30, 2023, removing the power of Metro Nashville’s Mayor and Council to appoint and confirm the remaining six directors, and giving that appointment power to State officials. This action violates the Tennessee Constitution’s Home Rule Amendment and Equal

Protection Clauses. For these reasons, the Court should declare the Act unconstitutional and enjoin its enforcement.

In support of its requests for a declaratory judgment and temporary and permanent injunctive relief, Metro Nashville alleges as follows:

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over this action pursuant to Tenn. Code. Ann. § 16-11-102.

2. This Court has the power to enter a declaratory judgment and issue injunctive relief pursuant to Tenn. Code Ann. §§ 1-3-121, 29-1-101, 29-14-102, and 29-14-103.

3. Venue is proper in this judicial district pursuant to Tenn. Code Ann. §§ 4-4-104 and 20-4-101(a), as this cause of action arose in Davidson County, Tennessee.

PARTIES

4. Plaintiff Metro Nashville is a consolidated city and county government formed by the City of Nashville and Davidson County and incorporated pursuant to Tenn. Code Ann. §§ 7-1-101, *et seq.*

5. Defendant Bill Lee is the Governor of the State of Tennessee. The Tennessee Constitution vests the Governor with “the supreme executive power of this state.” Tenn. Const. art. III, § 1. As the Chief Executive for the State of Tennessee, Governor Lee has a constitutional obligation to “take care that the laws be faithfully executed,” *id.*, including that they be executed consistent with Tennessee constitutional mandates. Governor Lee is sued in his official capacity and may be served through the Tennessee Attorney General and Reporter’s Office.

6. Defendant Randy McNally is the Speaker of the Senate of the General Assembly of Tennessee. Article II, Section 3 of the Tennessee Constitution vests the State’s legislative authority in the General Assembly and creates the offices of Speaker of the Senate

and Speaker of the House of Representatives. Article II, Section 11 of the Tennessee Constitution provides that the Senate and House of Representatives shall each “choose a speaker.” McNally was validly elected to the position of Speaker of the Senate. Speaker McNally is sued in his official capacity and may be served through the Tennessee Attorney General and Reporter’s Office.

7. Defendant Cameron Sexton is the Speaker of the House of Representatives of the General Assembly of Tennessee. Article II, Section 3 of the Tennessee Constitution vests the State’s legislative authority in the General Assembly and creates the offices of Speaker of the Senate and Speaker of the House of Representatives. Article II, Section 11 of the Tennessee Constitution provides that the Senate and House of Representatives shall each “choose a speaker.” Sexton was validly elected to the position of Speaker of the House of Representatives. Speaker Sexton is sued in his official capacity and may be served through the Tennessee Attorney General and Reporter’s Office.

FACTUAL ALLEGATIONS

I. The Sports Authority Act of 1993.

8. Governor Ned McWherter signed the Sports Authority Act of 1993 into law on May 17, 1993. 1993 Pub. Acts ch. 378, attached as Ex. 2.

9. The purpose of the Sports Authority Act of 1993 was to address the “immediate need to promote and further develop recreational opportunities in this state, by facilitating and equipping the acquisition, construction, and rehabilitation of sports complexes, stadiums, arenas and other recreational facilities, for the holding of professional and amateur athletic events.” *Id.* § 1.

10. Because “effective cooperation between various units of government has been hampered because of inadequate statutory authority,” the General Assembly saw a need to provide that statutory authority to “individual communities to prepare comprehensive, long-

range master plans for the orderly development of sports and recreational facilities and to promote sports and sports-related activities.” *Id.*

11. The Sports Authorities Act of 1993 has been amended several times since 1993. But the legislation’s essential structure has not changed.

II. The Nashville Sports Authority.

12. To encourage the Houston Oilers NFL franchise’s move to Nashville, Metro Nashville formed a sports authority in 1995 to facilitate the construction and operation of a football stadium in Nashville.

13. By resolution dated October 10, 1995, the Metro Council determined that it was “wise, expedient, necessary or advisable” to form the Nashville Sports Authority, authorized the authority’s formation, and approved the form of corporate charter to be used by the authority. (Resolution No. R95-29, attached as Ex. 3.)

14. The corporate charter of the Nashville Sports Authority was subsequently filed with and approved by the Tennessee Secretary of State.

15. The Sports Authority Act of 1993 provides that a sports authority is “a public instrumentality of the municipality with respect to which the authority is organized.” Tenn. Code Ann. § 7-67-109.

16. In accordance with the 1993 Act, the Nashville Sports Authority charter states the Authority is an “instrumentality” of Metro Nashville. (*See* Authority Charter, art. IX, attached as Ex. 4.)

17. Underscoring the Authority’s status as Metro Nashville’s instrumentality, the charter states when the Authority is dissolved, all funds and properties held by the Authority “shall vest and be delivered to” Metro Nashville. (Authority Charter, art. X.); *see also* Tenn. Code Ann. § 7-67-119 (“Upon the filing of such certificate of dissolution, the authority shall stand dissolved, the title to all funds and properties owned by it at the time of such dissolution

shall vest in the municipality with respect to which the authority was organized, and possession of such funds and properties shall forthwith be delivered to such municipality.”).

18. The current governing body of the Nashville Sports Authority is a board of directors consisting of thirteen persons appointed by the Metro Nashville Mayor and approved by the Metro Nashville Council. Tenn. Code Ann. § 7-67-108(a)(4)(A) (effective until Jan. 1, 2024).¹

19. Each member of the Nashville Sports Authority’s board of directors was appointed to serve a six-year term. *Id.* § 7-67-108(a)(2).

20. The term of each member of the Nashville Sports Authority’s current board of commissioners is scheduled to expire as follows:

- a. Aaron McGee, February 17, 2028;
- b. Emmett Wynn, February 17, 2024;
- c. Jad Duncan, February 20, 2024;
- d. Frank Harrison, October 19, 2023;
- e. Dan Hogan, December 19, 2023;
- f. Melvin Gill, December 19, 2023;
- g. Cathy Bender, February 19, 2026;
- h. Anna Page, February 19, 2026;
- i. Glenn Farner, February 19, 2026;
- j. (Ret.) Col. Don Deering, February 19, 2026;
- k. Kim Adkins, February 17, 2028;
- l. Winston Justice, February 17, 2028; and

¹ A copy of Tenn. Code Ann. § 7-67-108 in effect on May 10, 2023, prior to the Act’s passage, is attached as Ex. 5 for the Court’s convenience.

m. Michael Zerah, February 17, 2028.

21. As the municipality (defined by the 1993 Act as any county, metropolitan government or incorporated city or town) authorizing the Nashville Sports Authority, Metro Nashville was empowered to aid or otherwise provide assistance to an authority created pursuant to the Sports Authorities Act of 1993, including leasing or gifting land to the authority, granting the authority revenues not derived from ad valorem taxes, and assigning or loaning municipal staff to the authority. *Id.* §§ 7-67-111, 7-67-116.

22. The Nashville Sports Authority provides Metro Nashville a copy of its yearly audit. *Id.* § 7-67-110.

23. According to its website, the Nashville Sports Authority's mission "is to acquire, improve, repair, operate and maintain professional sports facilities and their surrounding campuses in Metro Nashville and Davidson County, within the provisions of governing contracts."

24. The Nashville Sports Authority was instrumental in bringing to Nashville the Tennessee Titans of the National Football League, the Nashville Predators of the National Hockey League, and Nashville SC of Major League Soccer.

25. The Nashville Sports Authority facilitated the renovation of Bridgestone Arena by issuing several series of bonds. The Authority currently leases Bridgestone Arena to the Nashville Predators and has done so since the construction of the arena.

26. The Nashville Sports Authority facilitated the construction of Geodis Park, home of Nashville SC of Major League Soccer, by issuing \$225 million in bonds. The Authority currently leases the stadium to Nashville SC.

27. The Nashville Sports Authority facilitated the construction and move of the Nashville Sounds Minor League Baseball team to First Horizon Park in Nashville by issuing

\$65 million in municipal bonds. The Authority currently leases the stadium to the Nashville Sounds.

28. Most recently, the Sports Authority issued \$760 million in bonds to fund the construction of a new stadium on the east bank of the Cumberland River in Nashville for the Tennessee Titans.

III. The State Enacts the Nashville Sports Authority Act.

29. April 17, 2023, the Nashville Sports Authority Act passed by a vote of 74 ayes and 23 nays in the Tennessee House of Representatives. On April 21, 2023, the Senate concurred in the version of the bill passed by the House by a vote of 18 ayes and 6 nays.

30. Governor Bill Lee signed the bill into law on May 11, 2023.

31. Where previously the Nashville Sports Authority was controlled solely by directors appointed by Metro Nashville, the Act shifted control of six of the thirteen seats to the State of Tennessee.

32. Section 1 of the Act amended Section 7-67-108(a)(4) of the Sports Authority Act of 1993 by adding a new subsection governing the composition of the board of directors of a sports authority in a county having a metropolitan form of government and a population of over 500,000 according to the 2020 or subsequent federal census.

33. Section 1 of the Act vacates the membership of the Nashville Sports Authority effective January 1, 2024. In so doing, Section 1 will remove each the current thirteen directors from office prior to the ends of their terms.

34. After vacating the current membership on January 1, 2024, Section 1 reconstitutes the Nashville Sports Authority board of directors.

35. Effective January 1, 2024, Section 1 reappoints the seven “longest standing board members”² as of June 30, 2023, who will serve an amount of time equal to the remainder of their existing terms, provided that they meet the qualifications for membership and no more than one appointee is appointed from the same Metro Nashville school district. The seven longest standing board members of the Nashville Sports Authority as of June 30, 2023, will be reappointed even if one or more of these members no longer serve on the board because their terms expired prior to January 1, 2024.

36. Section 1 authorizes the Metro Nashville Mayor to make subsequent appointments to these seven positions in the Mayor’s sole discretion with no requirement for approval by the Metro Council.

37. Section 1 authorizes the Speaker of the State House of Representatives, the Speaker of the State Senate, and the Governor each to appoint two members to the Nashville Sports Authority board of directors effective January 1, 2024. Section 1 does not require that any of the State-appointed board members reside in Metro Nashville, and at least one of the Governor’s appointees must reside outside Middle Tennessee.

38. The directors appointed by the Governor will serve initial terms that expire on June 30, 2025.

39. The directors appointed by the Speaker of the House of Representatives will serve initial terms that expire on June 30, 2027.

40. The directors appointed by the Speaker of the Senate will serve initial terms that expire on June 30, 2029.

² “Longest standing board members” is not defined in the Act.

41. The only sports authority in existence now or in the future that can satisfy Section 1’s population and form-of-government requirements and create a reconstituted board that satisfies Section 1’s timing deadlines is the Nashville Sports Authority.

42. The Nashville Sports Authority Act did not amend Tenn. Code Ann. § 7-67-109, so the Nashville Sports Authority statutorily remains an instrumentality of Metro Nashville, even though Metro Nashville no longer appoints all of the Authority’s board.

IV. The State’s Pretextual Rationale for Targeting Nashville.

43. The legislative history of the Nashville Sports Authority Act demonstrates that the Act was explicitly drafted to target Metro Nashville and the Nashville Sports Authority and to have no effect on any other sports authority.

44. The consistently stated rationale for passage of the Act was that the State had approved over \$500 million in funds toward the construction of the new Nissan Stadium in Nashville and, therefore, deserved representation on the Nashville Sports Authority.

45. The Fiscal Memorandum published by the Tennessee General Assembly’s Fiscal Review Committee stated bluntly in its bill summary that the Act “[v]acates and reconstitutes the board of directors (Board) *for the Metropolitan Sports Authority (Authority) of Nashville*, effective January 1, 2023.” Fiscal Memo. House Bill 1197–Senate Bill 1335 (Mar. 26, 2023) (emphasis added).³

46. Representative Ryan Williams (R–Cookeville), the Act’s House sponsor, made clear that the legislation focused solely on Metro Nashville because of the State’s decision to help fund construction of the city’s new football stadium. He explained that “the State has invested more than half a billion dollars in this project, and the State seeks to have a voice

³ <https://www.capitol.tn.gov/Bills/113/Fiscal/HB1197.pdf>.

at the table as it relates to the decisions.” *Hearing on H.B. 1197 on House Floor*, 2023 Leg., 113th Gen. Assembly (Apr. 17, 2023) (statement of Rep. Ryan Williams, R-Cookeville).⁴

47. In response to a follow-up question as to whether the new directors would be appointed from Davidson County, Representative Williams stated: “No, they will not all be from the senatorial district or Metro Davidson County because the half-a-billion-dollar bonds were paid for by seven million people in the State of Tennessee. That is the reason for this bill, and that’s why we’re here before you today.” *Id.*⁵

48. In further explaining the bill’s purpose, Representative Williams was even more direct that its intended target was Metro Nashville: “The reason why is because we issued a half a billion dollars in bonds, the State did, using taxpayer dollars and they currently have no voice on this board. As it relates to who was there or not there, Metro Nashville is issuing their own bonds and advocated to this body for us to issue a half a billion dollars in bonds because they didn’t have the capability to do it all themselves. They didn’t.” *Id.*⁶

49. As pointed out by Representative John Ray Clemmons (D-Nashville), the Tennessee Titans organization advocated for the State’s \$500 million grant, not Metro Nashville.

50. In response to a suggestion that the bill be inclusive of other counties with sports authorities, Representative Williams stated: “[N]one of this would be possible without

⁴tnga.granicus.com/player/clip/28359?view_id=703&redirect=true&h=137fc1e40389f7417bd2245e56af6ec5&entrytime=10255&stoptime=13265&autostart=0

⁵tnga.granicus.com/player/clip/28359?view_id=703&redirect=true&h=137fc1e40389f7417bd2245e56af6ec5&entrytime=10255&stoptime=13265&autostart=0&entrytime=10851&stoptime=13265&autostart=0

⁶tnga.granicus.com/player/clip/28359?view_id=703&redirect=true&h=137fc1e40389f7417bd2245e56af6ec5&entrytime=10255&stoptime=13265&autostart=0&entrytime=11148&stoptime=13265&autostart=0

the State of Tennessee because as we were told, if we all didn't do this together, Metro Nashville and the State of Tennessee, this entity would be gone. And so we have the State of Tennessee and Metro Nashville to thank for preserving it." *Id.*⁷

51. Senator Paul Bailey (R-Sparta), the Senate sponsor of the bill, explained to the Senate and Local Government Committee that the bill was filed because "last year this General Assembly appropriated a \$500 million bond that would allow for the building of a new stadium. That does not include the tax zone that we had previously approved for that campus area around the Tennessee Titans. So I think the state and Tennessee taxpayers have made a huge investment into this [Nashville] board's authority." *Hearing on S.B. 1335 Before Senate & Local Gov't Comm.*, 2023 Leg., 113th Gen. Assembly 21 (Mar. 28, 2023) (statement of Sen. Paul Bailey, R-Sparta).⁸

52. But this rationale is inconsistent with the State's treatment of other sports authorities throughout the state.

53. There are six active sports authorities in the State of Tennessee: the Nashville Sports Authority, the Memphis and Shelby County Sports Authority, the Chattanooga Sports Authority, the Williamson County Sports Authority, the Knoxville-Knox County Sports Authority, and the Montgomery County Sports Authority.

54. In response to Senator Yarbrow's (D-Nashville) question whether Shelby County would be affected by the Act because Shelby County received \$350 million dollars from the State toward improving the FedExForum and Simmons Bank Liberty Stadium in Memphis,

⁷tnga.granicus.com/player/clip/28359?view_id=703&redirect=true&h=137fc1e40389f7417bd2245e56af6ec5&entrytime=10255&stoptime=13265&autostart=0&entrytime=11309&stoptime=13265&autostart=0

⁸tnga.granicus.com/player/clip/28180?view_id=703&redirect=true&h=7bf523a58836ac7edc349e6d70d60b15&entrytime=1128&stoptime=6591&autostart=0

Senator Bailey confirmed it would not. *Id.*⁹ (Sen. Yarbro: “How much of that is allocated for sports facilities in Shelby County in this year’s budget, Mr. Chairman? Anybody know? I think it’s three hundred and fifty million dollars. And under this legislation, how much representation will McMinn County have in the Shelby County sports authority?” Sen. Bailey: “Probably zero.” Sen. Yarbro: “Because this doesn’t affect that. Correct?” Sen. Bailey: “No, sir.”).

55. The State also recently awarded a \$13.5 million grant to the Sports Authority of Knoxville and Knox County. Neither the Act nor any other legislation provides the State with seats on that sports authority’s board of directors.

56. Indeed, the Sports Authorities Act of 1993 allows all sports authorities to accept grants from the State and has allowed such acceptance since its original passage. Tenn. Code Ann. § 7-67-109(14) (granting sports authorities the power to accept “donations, contributions, revenues, capital grants or gifts” from the State). Despite the 1993 Act’s having authorized the acceptance of such State funding, the Nashville Sports Authority Act does not give the State seats on any other sports authority’s board of directors.

57. To the extent the State has concerns regarding expenditure of State funds, the Sports Authorities Act of 1993 provides the State with oversight, as Section 7-67-110 requires all sports authorities to perform an annual audit to be reviewed by the comptroller of the treasury.

58. In presenting the Act in committee, Senator Bailey referenced that the State granted a special tax zone to the area surrounding the new Nashville stadium. *Hearing on S.B. 1335 Before Senate & Local Gov’t Comm.*, 2023 Leg., 113th Gen. Assembly 21 (Mar. 28,

⁹tnga.granicus.com/player/clip/28180?view_id=703&redirect=true&h=7bf523a58836ac7edc349e6d70d60b15&entrytime=1187&stoptime=6591&autostart=0

2023) (statement of Sen. Paul Bailey, R-Sparta) (“Well, most recently, last year this General Assembly appropriated a \$500 million bond that would allow for the building of a new stadium. That does not include the tax zone that we had previously approved for that campus area around the Tennessee Titans. So I think the state and Tennessee taxpayers have made a huge investment into this board’s authority.”)¹⁰; *see also Hearing on H.B. 1197 on House Floor*, 2023 Leg., 113th Gen. Assembly (Apr. 17, 2023) (statement of Rep. Ryan Williams, R-Cookeville) (“[T]his municipality had requested on four other instances sales tax schemes which would allow them to preserve these teams there.”)¹¹

59. Special tax zones for sports facilities are not unique to Metro Nashville. For example, the General Assembly recently approved special tax zones for sports facilities in Memphis and Knoxville. *See* 2023 Pub. Acts ch. 405 (codified at Tenn. Code Ann. § 67-6-103(d)(1)(A)(viii)) (Memphis); 2022 Pub. Acts ch. 1069 (codified at Tenn. Code Ann. § 67-6-712(f)) (Knoxville). But the State did not pass legislation vacating locally appointed seats on those municipalities’ sports authorities and replacing them with state-appointed directors.

V. Metro Nashville Has Not Consented to the Makeover of Its Sports Authority’s Board of Directors.

60. Despite being targeted solely at Davidson County, the Act does not provide for local approval prior to becoming effective.

¹⁰tnga.granicus.com/player/clip/28180?view_id=703&redirect=true&h=7bf523a58836ac7edc349e6d70d60b15&entrytime=1132&stoptime=6591&autostart=0

¹¹tnga.granicus.com/player/clip/28359?view_id=703&redirect=true&h=137fc1e40389f7417bd2245e56af6ec5&entrytime=10255&stoptime=13265&autostart=0&entrytime=10384&stoptime=13265&autostart=0

CAUSES OF ACTION

I. THE NASHVILLE SPORTS AUTHORITY ACT FAILS TO REQUIRE LOCAL APPROVAL AND THEREFORE IS UNCONSTITUTIONAL UNDER THE LOCAL LEGISLATION CLAUSE IN ARTICLE XI, SECTION 9 OF THE TENNESSEE CONSTITUTION.

61. Plaintiff adopts and incorporates all allegations in the preceding paragraphs as if fully set forth herein.

62. The portion of the Local Legislation Clause of the Tennessee Constitution requiring local approval of state legislation reads as follows:

[A]ny act of the General Assembly private or local in form or effect applicable to a particular county or municipality either in its governmental or its proprietary capacity shall be void and of no effect unless the act by its terms either requires the approval by a two-thirds vote of the local legislative body of the municipality or county, or requires approval in an election by a majority of those voting in said election in the municipality or county affected.

Tenn. Const. art. XI, § 9, ¶ 2.

63. Any legislation that omits local approval language required by the Local Legislation Clause is “absolutely and utterly void.” *Farris v. Blanton*, 528 S.W.2d 549, 551 (Tenn. 1975).

64. The Nashville Sports Authority Act is local in form and effect. Based on its population, form-of-government, and timing requirements, the Act applies only to Metro Nashville and the Nashville Sports Authority, which is an instrumentality of Metro Nashville. There is no reasonable expectation that the Act will apply to any other city, county, or sports authority absent future legislative action.

65. The Act vacates the Nashville Sports Authority’s current board of directors on January 1, 2024. The Act reappoints the seven longest standing current board members as of June 30, 2023, to serve the remainder of their existing terms, after which the Mayor shall make all subsequent appointments to these seats without Metro Council approval. The Act permanently vacates the positions held by the remaining six board members and transfers

the appointment power for their positions from the Metro Nashville Mayor and Council to State officials.

66. There is no reasonable expectation that the Act will apply to any other city, county or sports authority absent future legislative action.

67. The Act does not contain a provision requiring consent of the voters of Metro Nashville or a two-thirds vote of the Metro Council before taking effect.

68. Because the Act applies only to Metro Nashville and its sports authority without the mandatory local approval language, it violates the Local Legislation Clause in the Home Rule Amendment.

69. Metro Nashville requests that the Court enter a declaratory judgment holding the Nashville Sports Authority Act unconstitutional under the local-approval requirement of the Local Legislation Clause and an order enjoining its enforcement.

II. THE NASHVILLE SPORTS AUTHORITY ACT IS A RIPPER BILL AND THEREFORE IS UNCONSTITUTIONAL UNDER THE LOCAL LEGISLATION CLAUSE IN ARTICLE XI, SECTION 9 OF THE TENNESSEE CONSTITUTION.

70. Plaintiff adopts and incorporates all allegations in the preceding paragraphs as if fully set forth herein.

71. The portion of the Local Legislation Clause of the Tennessee Constitution prohibiting ripper bills reads as follows:

The General Assembly shall have no power to pass a special, local or private act having the effect of removing the incumbent from any municipal or county office or abridging the term or altering the salary prior to the end of the term for which such public officer was selected....

Tenn. Const. art. XI, § 9, ¶ 2.

72. The Nashville Sports Authority Act is local in form and effect. Based on its population, form-of-government, and timing requirements, the Act applies only to the Nashville Sports Authority, which is an instrumentality of Metro Nashville. There is no

reasonable expectation that the Act will apply to any other sports authority absent future legislative action.

73. The Nashville Sports Authority's current board of directors are municipal or county officers under the Local Legislation Clause.

74. Section 1 of the Act vacates the Nashville Sports Authority's current board of directors on January 1, 2024. The Act reappoints the seven longest standing current board members as of June 30, 2023, to serve the remainder of their existing terms, after which the Mayor shall make all subsequent appointments to these seats without Metro Council approval. The Act permanently vacates the positions held by the remaining six board members and transfers the appointment power for their positions from the Metro Nashville Mayor and Council to State officials.

75. By vacating all of the Nashville Sports Authority's current board of directors on January 1, 2024, the Act removes them from office and abridges their terms of office.

76. By permanently vacating the seats of six of the Nashville Sports Authority's board of directors, the Act removes them from office and abridges their terms of office.

77. By vacating all of the Nashville Sports Authority's current board of directors and permanently vacating the seats of six of the Nashville Sports Authority's board of directors, the Act violates the Local Legislation Clause's absolute prohibition on removing or abridging the terms of incumbent municipal or county officials.

78. By vacating all of the Nashville Sports Authority's current board of directors and permanently vacating the seats of six of the Nashville Sports Authority's board of directors, the Act infringes on Metro Nashville's right of local sovereignty that the Local Legislation Clause's prohibition on ripper bills protects.

79. Metro Nashville requests that the Court enter a declaratory judgment holding the Nashville Sports Authority Act unconstitutional under the Local Legislation Clause's prohibition on ripper bills and an order enjoining its enforcement.

III. THE NASHVILLE SPORTS AUTHORITY ACT IS UNCONSTITUTIONAL UNDER THE EQUAL PROTECTION CLAUSES IN ARTICLE I, SECTION 8 AND ARTICLE XI, SECTION 8 OF THE TENNESSEE CONSTITUTION.

80. Plaintiff adopts and incorporates all allegations in the preceding paragraphs as if fully set forth herein.

81. The full text of Article I, Section 8, of the Tennessee Constitution states “[t]hat no man shall be taken or imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty, or property, but by the judgment of his peers or the law of the land.”

82. The full text of Article XI, Section 8 of the Tennessee Constitution states as follows:

The Legislature shall have no power to suspend any general law for the benefit of any particular individual, nor to pass any law for the benefit of individuals inconsistent with the general laws of the land; nor to pass any law granting to any individual or individuals, rights, privileges, immunities, or exemptions other than such as may be, by the same law extended to any member of the community, who may be able to bring himself within the provisions of such law. No corporation shall be created or its powers increased or diminished by special laws but the General Assembly shall provide by general laws for the organization of all corporations, hereafter created, which laws may, at any time, be altered or repealed and no such alteration or repeal shall interfere with or divest rights which have become vested.

83. The Nashville Sports Authority Act treats the Nashville Sports Authority differently than any other sports authority in the State for no rational purpose.

84. Metro Nashville requests that the Court enter a declaratory judgment holding the Nashville Sports Authority Act unconstitutional under the Equal Protection Clauses in Article I, Section 8 and Article XI, Section 8 of the Tennessee Constitution and an order enjoining its enforcement.

PRAYER FOR RELIEF

WHEREFORE, Metro Nashville demands judgment against Defendants Bill Lee, Randy McNally, and Cameron Sexton, in their official capacities, and prays that the Court award the following relief:

1. A judgment and order declaring the Nashville Sports Authority Act facially unconstitutional and therefore null and void;
2. A temporary and permanent injunction preventing Defendants Governor Lee, Speaker McNally, and Speaker Sexton from implementing the Nashville Sports Authority Act in any way; and
3. Such further and general relief as the Court deems appropriate at law or in equity.

Respectfully submitted,

DEPARTMENT OF LAW OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY

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