

SB 347 - HB 529

FISCAL NOTE



Fiscal Review Committee
Tennessee General Assembly

March 1, 2025

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SUMMARY OF BILL: Prohibits the signature of an individual from being counted on a petition if the address put on the petition is outside of the precinct for the petition, regardless of the address on the signer's voter registration card.

Prohibits a county election commission from using or requiring extraneous evidence, such as oral testimony or affidavits, to verify the validity of handwritten signatures on petitions or other election-related documents.

Declares that it is the responsibility of voters, including those who are homeless, to register with and notify the voter's county election commission when the voter moves and that the required residential address written by a voter or witness on a petition must include the street number, street name, and city.

Requires that a registrant with a disability preventing them from writing a signature have a mark, such as an "X", verified by an individual who is registered to vote in the same county. Deletes the provision that, if a registrant's disability prevents them from making any mark, they may be assisted with registration.

FISCAL IMPACT:

STATE GOVERNMENT	
EXPENDITURES	General Fund
FY25-26	\$19,500

OTHER FISCAL IMPACT
It is assumed that the necessary updates to the Department of Safety's (DOS) voter kiosks will be accomplished by the relevant vendor under a current contractual provision at no additional cost to DOS. However, if that provision is exhausted by this and other legislation subsequently enacted, the DOS may incur a one-time increase in expenditures estimated to be \$75,000 in FY25-26.

Assumptions:

- Pursuant to the proposed legislation, "signature" as it relates to election-related documents is defined as:

- The full, legal, handwritten signature of a registered voter or person qualified to register to vote, in legible English alphabetic characters unless certain exceptions are met;
 - One or more initials of the voter's full legal last name in lieu of their fully legal name if their voter registration card uses those initials; or,
 - An individual mark, such as an "X", with the voter's full legal name written by a witness who is a registered voter in the same county and who witnessed the voter make the mark.
- Tennessee Code Annotated § 2-1-107(a) currently requires a signature on a petition to be considered valid and be counted if the person signing the petition puts their address as within the precinct for which they are signing the petition, even if it is not the address shown on their voter registration record.
 - In order to update absentee ballot applications with instructions on what signatures are acceptable, there will be a one-time increase in expenditures by the Division of Elections of \$8,985 in FY25-26.
 - Voter registration applications will also need to be reprinted and distributed to county election offices, which will result in a one-time increase in state expenditures of \$10,500 in FY25-26.
 - It is assumed that the updates to DOS's voter kiosks will be accomplished by DOS's vendor under a current contractual provision at no additional cost to DOS.
 - However, if the relevant contract provision is exhausted by this and other legislation subsequently enacted, DOS may incur a one-time increase in expenditures estimated to be \$75,000 in FY25-26.
 - Prohibiting the use of extraneous evidence by county election commissions to verify signatures is not anticipated to result in a significant decrease in the amount of time worked, and therefore will not result in significant cost savings. However, this prohibition may lead to some unknown number of votes or signatures being left uncounted.
 - Tennessee Code Annotated § 2-2-106(b) states that it is currently the responsibility of the county election commission to implement an address verification program to identify any voter who has changed their address without notifying the election commission. By instead requiring voters to notify the county election commission of any move may result in some decrease in the commissions' workload; however, it is not anticipated to result in any significant decrease in expenditures.
 - Tennessee Code Annotated § 2-2-122(b)(1) states that there are several factors and relevant matters that may be considered in determining a person's residency for voter registration purposes.
 - According to information provided on the Secretary of State's website, a homeless individual may register to vote using a physical description of the location they most frequently reside, such as a street corner where they rest, or may register for general delivery, in order to establish a voting precinct.
 - However, the proposed legislation will remove this possibility and instead require that homeless individuals provide a street address.
 - Pursuant to Tenn. Code Ann. § 2-2-104, the following persons may register permanently to vote:
 - A person who is a qualified voter when such person applies to register;

- A person residing in an area within this state which has been ceded to the federal government if the person is otherwise qualified to vote; and
 - A person who will be 18 years of age on or before the date of the next election after the person applies to register and who is otherwise eligible to register.
- By prohibiting an individual's ability to register to vote if that individual is unable to make a mark on their registration form, the proposed legislation will contradict with voter eligibility requirements pursuant to Tenn. Code Ann. § 2-2-104.
- The total increase in state expenditures is estimated to be \$19,485 (\$8,985 + \$10,500) in FY25-26.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Executive Director