

HOUSE BILL 160

By Thompson

AN ACT to amend Tennessee Code Annotated, Title 2 and Title 68, relative to voting at licensed nursing homes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-6-601(a), is amended by deleting the subsection and substituting the following:

(1) In the case of individuals who are full-time residents of any licensed nursing home, home for the aged, institution designated for elderly or disabled persons that has a qualified staff who regularly assess residents and attest that the population consists of persons of which at least thirty-five percent (35%) are frail, as defined in 42 U.S.C. § 3002(22), or similar licensed institution providing relatively permanent domiciliary care, other than a penal institution, and in the county of the voter's residence, the county election commission of each county shall send one (1) absentee voting deputy representing the majority party and one (1) absentee voting deputy representing the minority party to the institution for the purpose of processing, assisting the voter who may be entitled to assistance under § 2-6-105 or § 2-6-106, and attesting absentee ballot applications and ballots. Both absentee voting deputies shall attest the voter's ballot. The procedure for voting must substantially follow the provisions for early voting established by part 1 of this chapter and must be provided to each facility as described in this subsection (a).

(2) The procedure for voting under this section must be the only method by which individuals may vote in an election if the individuals are full-time residents of any licensed nursing home, home for the aged, or institution designated for elderly or

disabled persons that has a qualified staff who regularly assess residents and attest that the population consists of persons of which at least thirty-five percent (35%) are frail, as defined in 42 U.S.C. § 3002(22), or similar licensed institution providing relatively permanent domiciliary care, other than a penal institution.

(3) Nothing in this section prohibits an individual from voting during the early voting period at a location established for early voting, or otherwise voting in person on election day at either the commission office, in accordance with § 2-3-109(e), or the individual's polling place, if the individual is a full-time resident in the home or institution and the individual is medically able to go to the commission office, the person's polling place, or a location established for early voting for the purpose of voting. The county election commission may begin the voting at the licensed nursing homes twenty-nine (29) days before an election.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.