

HOUSE BILL 538

By Parkinson

AN ACT to amend Tennessee Code Annotated, Title 2 and
Title 4, relative to voter registration.

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

SECTION 1. Tennessee Code Annotated, Section 2-2-201, is amended by deleting the section and substituting instead the following:

(a) In addition to all other voter registration procedures provided for by law, the department of safety and each county election commission shall provide for voter registration procedures in accordance with this section.

(b) The department of safety shall obtain, as part of an application for the issuance or renewal of a driver license or photo identification license, the information required to register a voter in this state. An application must include:

(1) A box to permit the applicant to decline to register to vote that includes the statement: "IF YOU DO NOT CHECK THIS BOX, AND IT IS DETERMINED THAT YOU ARE ELIGIBLE TO VOTE, YOU WILL BE REGISTERED TO VOTE USING THE INFORMATION PROVIDED IN THIS APPLICATION.";

(2) A statement specifying each eligibility requirement for voting in this state as specified in § 2-2-102; and

(3) An attestation to permit the applicant, under penalty of perjury, and by the applicant's signature, to indicate whether the applicant meets the eligibility requirements for voting in this state.

(c) The department of safety shall provide to the appropriate county election commission a copy of the application of each applicant who does not check the box to indicate that the applicant declines to register to vote and who signs the attestation on the application indicating that the applicant meets the eligibility requirements for voting in this state. Applications provided by the department of safety under this subsection (c) may be submitted to a county election commission electronically.

(d) The application of an applicant who is registered to vote under this section must be processed as an in-person voter registration.

(e) A county election commission shall not use the information of an applicant for a purpose other than for an official purpose of the commission.

(f) The department of safety may require a second signature or other information that duplicates, or is in addition to, information in the license section of the application only if the duplicate or additional information is necessary for prevention of multiple registrations of the same individual, for determination of eligibility to vote, or for administration of voter registration or other aspects of the election process.

(g) The motor vehicle driver license or photo identification license application and change of residential address forms used in this state are subject to approval by the secretary of state for purposes of voter registration under this section.

(h) The department of safety shall transmit an application or change of residential address form in accordance with this section to the appropriate county election commission not later than ten (10) days after the date of acceptance; provided, that if the application or form is accepted within five (5) days of the last day for registration to vote in an election, the department shall transmit the application or form to the appropriate county election commission not later than five (5) days after the date of acceptance.

SECTION 2. The department of safety is not required to comply with this act until the department updates or creates new electronic or paper applications, forms, or other documents to which this act would otherwise apply, as applicable. The department may exhaust existing supplies of applications, forms, and documents to which this act would otherwise apply before complying with this act.

SECTION 3. This act takes effect upon becoming a law for purposes of carrying out any administrative duties necessary to implement the provisions of this act, the public welfare requiring it. This act takes effect on January 1, 2024, for all other purposes, the public welfare requiring it.