

HOUSE BILL 2125

By Terry

AN ACT to amend Tennessee Code Annotated, Title 2,  
Chapter 3, relative to voting centers.

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

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 3, is amended by deleting part 3 in its entirety and substituting instead the following language:

**2-3-301.**

(a) The purpose of this part is to create a pilot project to determine whether convenient voting centers could successfully be established for local and state elections to make it convenient for voters to vote at centralized voting areas on election day in the county in which the voter is registered, regardless of the voter's precinct.

(b) A county shall indicate its willingness to participate in such a pilot project by adopting a resolution by a super majority vote of its county election commission. A super majority of at least four (4) of the five (5) county election commissioners must approve their willingness to participate in the pilot program. The super majority vote shall also be required to establish the number and locations of convenient centers in each county. Unless four (4) out of five (5) county election commissioners vote in favor of participating in the pilot program and the number and location of the convenient voting centers, the voting precincts as described in §§ 2-3-102 and 2-3-103 must be utilized.

(c) Upon affirmative vote by the super majority vote of the county election commission, the commission shall submit to the coordinator of elections a project plan for the convenient voting centers. The coordinator of elections shall approve the project plan prior to the county election commission implementing the plan.

**2-3-302.**

(a) Upon approval of the project plan for the convenient voting centers, the county election commission shall create a program that establishes convenient voting centers within the county pursuant to § 2-3-303 for local and state elections scheduled in 2016 after the effective date of this act.

(b) If convenient voting centers are used in the election, the county election commission shall not be limited by the provisions set forth in § 2-3-101(a); provided, that no polling location may be changed within ten (10) days of an election except in an emergency.

(c) Each convenient voting center used in the pilot project shall have a secure electronic connection, certified by the coordinator of elections, to the computerized voter registration system maintained by the county election commission permitting all voting information processed by any computer at a convenient voting center to be immediately accessible to all other computers at all convenient voting centers in the county. The secure electronic connection shall be sufficient to prevent any voter from voting more than once and to prevent unauthorized access to the computerized voter registration system.

(d) Each convenient voting center shall meet applicable federal and state laws, including the accessibility requirements of the Help America Vote Act, codified generally in 42 U.S.C. § 15301.

(e) Chapter 7 of this title applies to all convenient voting centers.

**2-3-303.** Taking into consideration all facts and circumstances, the county election commission that has a county participating in the pilot project shall determine the number of convenient voting centers to be used in the county election. For every ten thousand (10,000) registered voters, the county election commission shall locate at least one (1) convenient voting center; provided, that each county election commission shall locate at least two (2) convenient voting centers within a county. In determining the location of the convenient voting centers, the

county election commission shall consider the density of the county population, the geographic dividers, and all other facts and circumstances that exist within the county.

**2-3-304.** If the county election commission establishes convenient voting centers within a county pursuant to § 2-3-303, the county election commission shall publish in a newspaper of general circulation the location of the convenient voting centers not less than thirty (30) days before the election. The county election commission shall mail to each registered voter a notice containing a list of the convenient voting centers located within the county. If more than one (1) registered voter is at the same address, then only one (1) notice may be sent to that address. Furthermore, immediately after any establishment of a convenient voting center, the county election commission shall give written notification of the changes to the office of local government, the comptroller of the treasury, and the coordinator of elections.

**2-3-305.** Section 2-3-107 shall apply to convenient voting centers.

**2-3-306.**

(a) Convenient voting centers shall be open for voting for a minimum of ten (10) continuous hours but no more than thirteen (13) hours. All convenient voting centers in the eastern time zone shall close at eight o'clock p.m. (8:00 p.m.), prevailing time, and convenient voting centers in the central time zone shall close at seven o'clock p.m. (7:00 p.m.) prevailing time.

(b) At least fifteen (15) days before the date of each election, the county election commission shall determine a uniform time for the opening of all convenient voting centers.

**2-3-307.** The coordinator of elections shall file a report with the state and local government committee of the senate and the local government committee of the house of representatives by January 31 following any election conducted under the pilot project. The report shall contain the coordinator's evaluation of the pilot project, together with the

coordinator's recommendations as to whether convenient voting centers should continue for future elections statewide.

**2-3-308.** This part shall only apply in any county having a population of not less than two hundred sixty-two thousand six hundred (262,600) nor more than two hundred sixty-two thousand seven hundred (262,700) according to the 2010 federal census or any subsequent federal census.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.