

SENATE BILL 366

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 5, Part 2, relative to including the name of a presidential candidate on a ballot in this state.

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

SECTION 1. Tennessee Code Annotated, Section 2-5-204(a), is amended by designating the existing language as subdivision (1) and by adding the following language as subdivision (2):

(2) Prior to the name of any candidate for president of the United States being placed on the ballot for either the presidential preference primary or the general November election, the following procedure shall be followed:

(A) The national political party committee for a candidate for president for a party that is entitled to continued representation on the ballot shall provide to the secretary of state written notice of the candidates for president and vice-president seeking that party's nomination. Within ten (10) days after submittal of the names of the candidates, the national political party committee shall submit an affidavit of the presidential candidate in which the presidential candidate states the candidate's citizenship and age and shall append to the affidavit documents that prove that the candidate is a natural born citizen, prove the candidate's age, and prove that the candidate meets the residency requirements for President of the United States as prescribed in Article II, Section 1, Constitution of the United States.

(B) The affidavit prescribed in subdivision (a)(2)(A) shall include references to and attachment of all of the following, which shall be sworn to under penalty of perjury:

(i) An original long form birth certificate that includes the date and place of birth, the names of the hospital and the attending physician, and signatures of the witnesses in attendance;

(ii) A sworn statement attesting that the candidate has not held dual or multiple citizenship and that the candidate's allegiance is solely to the United States of America; and

(iii) A sworn statement or form that identifies the candidate's places of residence in the United States for the preceding fourteen (14) years.

(3) If the information required pursuant to subdivision (2) is not timely submitted to the secretary of state, the secretary of state shall not place that presidential candidate's name on the ballot in this state.

SECTION 2. Tennessee Code Annotated, Section 2-5-205(a)(1), is amended by deleting the period at the end of the subdivision and adding the language “and has submitted and sworn to the documents prescribed § 2-5-204(a)(2).”

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.