

SENATE BILL 1091

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 2,
relative to including the names of certain
candidates on the ballot

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

SECTION 1. Tennessee Code Annotated, Section 2-13-201, is amended by deleting the subsection (a) in its entirety and by substituting instead the following language:

(a)

(1) No person's name may be shown on a ballot as the nominee of a political party for president of the United States, for the offices named in § 2-13-202, or for any office voted on by the voters of more than one (1) county unless the political party:

(A) Is a statewide political party;

(B) Has nominated the person substantially in compliance with this chapter; and

(C) Within ten (10) days after the filing of a nominating petition or submittal of the names of the candidates, as appropriate, the national political party committee for a candidate for president, or the executive committee of the political party for the offices named in § 2-13-202 or for any office voted on by the voters of more than one (1) county submits an affidavit of the candidate, signed and sworn to by the candidate under penalty of perjury verifying the accuracy of the information, in which the candidate states the following:

(i) Candidates for president: The candidate's citizenship and age, and shall append to the affidavit documents that prove:

(a) The candidate is a natural born citizen;

(b) The candidate's age; and

(c) That the candidate meets the residency requirements for president of the United States as prescribed in Article II, Section 1, of the Constitution of the United States;

(ii) Candidates for United States senator: The candidate's citizenship and age and shall append to the affidavit documents that prove:

(a) The candidate's age;

(b) Date of citizenship; and

(c) That the candidate meets the residency requirements for United States senator as prescribed, in Article 1, Section 3, of the Constitution of the United States;

(iii) Candidates for United States house of representatives: The candidate's citizenship and age, and shall append to the affidavit documents that prove:

(a) The candidate's age;

(b) Date of citizenship; and

(c) That the candidate meets the residency requirements for United States house of representatives as prescribed in Article I, Section 2, of the Constitution of the United States;

(iv) Candidates for governor: The candidate's citizenship and age and shall append to the affidavit documents that prove:

(a) The candidate's age;

(b) Date of citizenship; and

(c) That the candidate meets the residency requirements for governor as prescribed in Article III, Section 3, of the Constitution of the state of Tennessee;

(v) Candidates for state senator: The candidate's citizenship and age, and shall append to the affidavit documents that prove:

(a) The candidate's age;

(b) Date of citizenship; and

(c) That the candidate meets the residency requirements for state senator as prescribed in Article II, Sections 10 and 6(a), of the Constitution of the State of Tennessee; and

(vi) Candidates for state representative: The candidate's citizenship and age and shall append to the affidavit documents that prove:

(a) The candidate's age;

(b) Date of citizenship; and

(c) That the candidate meets the residency requirements for state house of representatives as prescribed in Article II, Sections 9 and 5(a), of the Constitution of the state of Tennessee.

(2) The affidavit prescribed in subdivision (a)(1)(C) shall include references to and attachment of the following, which shall be sworn to under penalty of perjury:

(A) To prove natural born citizenship and age, if such requirement is a requirement for the office, an original long form birth certificate shall be attached that includes the date and place of birth, the names of the hospital and the attending physician and signatures of the witnesses in attendance;

(B) To prove citizenship, other than natural born citizenship, and age:

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

(ii) Citizenship papers granted by immigration, as appropriate;

(C) Documents to prove state residency;

(D) Documents to prove county residency;

(E) Presidential candidate only:

(i) 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

(ii) 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 both the candidate and the national political party committee, in the case of a presidential candidate, and the candidate and the executive committee of a political party for all other candidates to which this subsection applies, fail to submit or swear to the documents required to be submitted pursuant to this subsection, the secretary of state shall not place that 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 in § 2-13-201(a)."

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