



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 374**

### **SENATE BILL NO. 1315**

**By Hensley, Bowling, Bailey, Haile, Pody, Reeves, Rose, Stevens, White**

Substituted for: House Bill No. 1276

By Griffey; Mr. Speaker Cameron Sexton; Doggett, White, Hulsey, Carringer, Ragan, Zachary, Parkinson, Powers, Sherrell, Ogles, Smith, Moody, Williams, Todd, Terry, Alexander, Curcio, Helton, Garrett, Cepicky, Warner, Boyd

AN ACT to amend Tennessee Code Annotated, Title 2; Title 3; Title 4; Title 8; Title 16 and Title 17, relative to the "Tennessee Election Integrity Act".

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

SECTION 1. This act is known and may be cited as the "Tennessee Election Integrity Act."

SECTION 2. Tennessee Code Annotated, Section 2-5-207(b), is amended by deleting the subsection and substituting instead the following:

(1) On the front or back of paper ballots shall be conspicuously printed the words, "Official Ballot for (General) (\_\_\_\_\_ Party Primary) Election," followed by the designation of the polling place for which the ballot is prepared, the date of the election, and the names of the members of the county election commission holding the election. The size of the print shall not be less than ten (10) point font.

(2) Except for ballots authorized by state or federal law to be delivered electronically to qualified voters who are entitled to vote by absentee ballot, all absentee ballots must include a watermark approved by the coordinator of elections. The watermark must be easily discernible for verification purposes by the absentee counting board.

SECTION 3. Tennessee Code Annotated, Section 2-5-207(e), is amended by deleting the subsection and substituting instead the following:

(e) The county election commission of each county shall prepare a sample ballot of all candidates and submit this sample ballot to the coordinator of elections for approval. The absentee sample ballot must contain a watermark approved by the coordinator of elections. The sample ballots provided to the public pursuant to § 2-5-211 shall not contain the approved watermark. A ballot shall not be printed or funds expended therefor by any county until such approval has been granted.

SECTION 4. Tennessee Code Annotated, Section 2-6-202(g), is amended by deleting the language "This signature verification is the final verification necessary before the counting board counts the ballots."

SECTION 5. Tennessee Code Annotated, Section 2-6-304(c), is amended by deleting the subsection and substituting instead the following:

(c) The counting board official shall then open the sealed absentee ballot envelopes, remove the absentee ballots, verify that the absentee ballots contain the approved watermark required under § 2-5-207(b), and count and record the absentee ballot votes and the early voting ballot votes. Any absentee ballot without the approved watermark must be rejected, unless the ballot was authorized by state or federal law to be delivered electronically. The absentee ballot must be marked "Rejected" across its face with the reason for rejection written on it, signed by each official who rejected it, and placed in a container of rejected absentee ballots. In no event may the votes for any candidate be totaled until after all polls in the county are closed.

SECTION 6. This act takes effect January 1, 2022, the public welfare requiring it.

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PASSED: April 27, 2021

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 11<sup>th</sup> day of May 2021

  
BILL LEE, GOVERNOR