

SENATE BILL 1510

By Bowling

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

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

SECTION 1. Tennessee Code Annotated, Section 2-6-101(b), is amended by deleting the subsection.

SECTION 2. Tennessee Code Annotated, Sections 2-6-102 – 2-6-113, are amended by deleting the sections.

SECTION 3. Tennessee Code Annotated, Section 2-3-107(b)(1)(A), is amended by deleting the language "and during the early voting period".

SECTION 4. Tennessee Code Annotated, Section 2-3-109(e)(2)(B), is amended by deleting the language "or during the early voting period subject to the provisions of § 2-2-115(b)(7)".

SECTION 5. Tennessee Code Annotated, Section 2-5-207, is amended by deleting the language "Except in counties using an electronic ballot marking system or ballot-on-demand technology approved by the coordinator of elections, all" in subsection (c) and substituting instead the language "All", and by deleting the language "early voting and" in subsection (f).

SECTION 6. Tennessee Code Annotated, Section 2-7-140, is amended by deleting subdivision (c)(1).

SECTION 7. Tennessee Code Annotated, Section 2-12-201, is amended by deleting the language "machine technicians," in subdivision (1) and by deleting subdivision (16).

SECTION 8. Tennessee Code Annotated, Section 2-14-202, is amended by deleting subdivisions (d)(4)(B) and (d)(4)(C).

SECTION 9. Tennessee Code Annotated, Section 2-3-104, is amended by deleting the section.

SECTION 10. Tennessee Code Annotated, Section 2-3-108, is amended by deleting subsection (c).

SECTION 11. Tennessee Code Annotated, Section 2-5-206, is amended by deleting the section and substituting instead the following:

A county election commission shall not use voting machines. Elections must be conducted using watermarked paper ballots that are hand-marked by the voter.

SECTION 12. Tennessee Code Annotated, Section 2-5-209(b), is amended by deleting the subsection.

SECTION 13. Tennessee Code Annotated, Section 2-5-210, is amended by deleting the section and substituting instead the following:

The coordinator of elections shall provide the county election commission with instruction cards for each polling place in large, clear type. The instruction cards must contain full instructions for the guidance of voters in obtaining ballots, in casting their votes, in obtaining assistance, and in obtaining new ballots in place of those accidentally spoiled.

SECTION 14. Tennessee Code Annotated, Section 2-5-211, is amended by deleting the section and substituting instead the following:

(a) The county election commission shall provide two (2) sample ballots for each polling place, arranged in the manner of the paper ballots. Sample ballots may be either full or reduced size and must contain suitable illustrated instructions for voting.

(b) At least five (5) days before an election, the county election commission shall:

(1) Publish a sample ballot in a newspaper of general circulation. The sample ballot must contain the names of all candidates and all offices and a statement of all questions on which voters may vote; and

(2) Post a sample ballot on a website maintained by the county election commission or, if the county election commission does not have or maintain a website, on the website maintained by the secretary of state. The sample ballot must contain the names of all candidates and all offices and a statement of all questions on which voters may vote.

SECTION 15. Tennessee Code Annotated, Section 2-5-213, is amended by deleting the section.

SECTION 16. Tennessee Code Annotated, Section 2-7-101, is amended by deleting subdivision (b)(5) and by deleting from subdivision (b)(2) the language "voting machines and" and the language "voting machines or".

SECTION 17. Tennessee Code Annotated, Section 2-7-103, is amended by deleting the language "a voting machine or" in subsection (d) and by deleting the language "voting machine or" in subsection (e).

SECTION 18. Tennessee Code Annotated, Section 2-7-108, is amended by deleting subsection (b) and substituting instead the following:

(b) If paper ballots are delivered to the wrong polling place, the officer of elections shall notify the county election commission upon discovery of the error. The commission shall immediately have the proper ballots delivered.

SECTION 19. Tennessee Code Annotated, Section 2-7-110, is amended by deleting the section.

SECTION 20. Tennessee Code Annotated, Section 2-7-112, is amended by deleting the second sentence of subdivision (e)(3).

SECTION 21. Tennessee Code Annotated, Section 2-7-113, is amended by deleting the section.

SECTION 22. Tennessee Code Annotated, Section 2-7-114, is amended by deleting subdivision (c)(2).

SECTION 23. Tennessee Code Annotated, Section 2-7-116, is amended by deleting subdivision (a)(1) and substituting instead the following:

(1) A voter who claims, by reason of illiteracy or physical disability other than blindness, to be unable to mark the ballot to vote as the voter wishes and who, in the judgment of the officer of elections, is so disabled or illiterate, may have the ballot marked by a person of the voter's selection or by one (1) of the judges of the voter's choice in the presence of either a judge of a different political party or, if such judge is not available, an election official of a different political party.

SECTION 24. Tennessee Code Annotated, Section 2-7-116, is amended by deleting subdivision (b)(1) and substituting:

(1) A voter who claims, by reason of blindness, to be unable to mark the ballot to vote as the voter wishes and who, in the judgment of the officer of elections, is blind, may have the ballot marked by a person of the voter's selection or by one (1) of the judges of the voter's choice in the presence of either a judge of a different political party or, if such judge is not available, an election official of a different political party.

SECTION 25. Tennessee Code Annotated, Section 2-7-117, is amended by deleting the section.

SECTION 26. Tennessee Code Annotated, Section 2-7-118(a), is amended by deleting the language "remain in a voting machine booth".

SECTION 27. Tennessee Code Annotated, Section 2-7-119, is amended by deleting the section.

SECTION 28. Tennessee Code Annotated, Section 2-7-130, is amended by deleting the section.

SECTION 29. Tennessee Code Annotated, Section 2-7-131, is amended by deleting subsections (e) and (f).

SECTION 30. Tennessee Code Annotated, Section 2-7-133, is amended by deleting the language "or optical scan" from subsection (g).

SECTION 31. Tennessee Code Annotated, Section 2-7-134, is amended by deleting the section.

SECTION 32. Tennessee Code Annotated, Section 2-7-136, is amended by deleting the language ", including separately the total number of votes cast for each by voting machine and by paper ballot".

SECTION 33. Tennessee Code Annotated, Section 2-7-137, is amended by deleting subdivision (8).

SECTION 34. Tennessee Code Annotated, Section 2-7-138, is amended by deleting the language "except the voting machines".

SECTION 35. Tennessee Code Annotated, Section 2-8-101, is amended by deleting subsection (b).

SECTION 36. Tennessee Code Annotated, Title 2, Chapter 9, is amended by deleting the chapter.

SECTION 37. Tennessee Code Annotated, Section 2-12-116, is amended by deleting subdivision (5) and by deleting the language ", machine technicians" in subdivision (16).

SECTION 38. Tennessee Code Annotated, Section 2-17-110, is amended by deleting the section.

SECTION 39. Tennessee Code Annotated, Section 2-17-117, is amended by deleting subdivision (a)(3).

SECTION 40. Tennessee Code Annotated, Section 2-19-101, is amended by deleting the language "or voting machine" in subdivision (3).

SECTION 41. Tennessee Code Annotated, Section 2-19-118, is amended by deleting subdivisions (a)(1) and (a)(3) and substituting instead the following:

(1) Intentionally tampers, interferes, or attempts to interfere with the correct operation of, or damages in order to prevent the use of, an electronic poll book;

(3) Knowingly and without authorization makes or has in the person's possession a key to a ballot box that will be used in an election in this state;

SECTION 42. Tennessee Code Annotated, Title 2, Chapter 20, is amended by deleting the chapter.

SECTION 43. This act takes effect upon becoming a law, the public welfare requiring it.