

SENATE BILL 1715

By Yager

AN ACT to amend Tennessee Code Annotated, Section 2-19-107; Section 2-2-107; Section 2-2-109; Section 2-2-201; Section 2-3-109; Section 2-3-204; Section 2-4-106; Section 2-5-102; Section 2-5-106; Section 2-6-103 and Section 40-20-113, relative to elections.

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

SECTION 1. Tennessee Code Annotated, Section 2-4-106(d), is amended by deleting the language "such person has been appointed to hold elections previously and".

SECTION 2. Tennessee Code Annotated, Section 2-2-109(a), is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a) A qualified voter may register or have the voter's registration altered at the commission office at any time the office is open, except that applications for registration shall not be processed for twenty-nine (29) days before an election, except as provided in subsection (b); provided, that a qualified voter may file a mail registration form by postmarking the registration form or submitting the registration form thirty (30) days before an election. A mail registration form lacking a postmark, but signed and dated at least thirty (30) days before an election, shall be timely filed if it is received by the county election commission no later than the twenty-seventh day prior to the election. A qualified voter may correct a deficient but timely filed mail registration form if the voter files a completed registration application or otherwise corrects the deficiency no later than five (5) days before the next regularly scheduled November general election. Deficient registrations not corrected prior to the five (5) days before the next regularly scheduled November general election shall no longer be considered deficient and shall be rejected. The administrator of elections shall register the person to vote if the person

is otherwise eligible to register. The administrator shall be empowered to update an existing registration until no later than five (5) days before an election to place it within the correct precinct in the county when a voter changes the voter's address through the process described in § 2-7-140.

SECTION 3. Tennessee Code Annotated, Section 2-5-106, is amended by deleting the section in its entirety and by substituting instead the following language:

(a) Any person seeking election to any office that is required by law to be held by an attorney shall certify on the person's nominating petition for such office that such person is licensed to practice law in this state, and shall place on such petition the person's supreme court registration number.

(b) Any person failing to comply with this section shall be disqualified from having the person's name placed on the election ballot for such office.

SECTION 4. Tennessee Code Annotated, Section 2-5-102(a), is amended by deleting from the form provided in subsection (a) the language "FOR JUDICIAL CANDIDATES ONLY" and by substituting instead the language "FOR CANDIDATES REQUIRED TO BE AN ATTORNEY".

SECTION 5. Tennessee Code Annotated, Section 2-2-107(a)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(2) Notwithstanding any provision of this title to the contrary, if a person's residence is located on real property which is located in both a municipality and in an unincorporated area in the county in which the municipality is located, then such person shall be eligible to vote in municipal elections if municipal taxes are assessed on the portion of real property located within the municipality. In a county having a metropolitan form of government, "unincorporated area," as used in this subdivision (a)(2), includes an area outside the boundaries of any of the smaller cities within the metropolitan government.

SECTION 6. Tennessee Code Annotated, Section 2-3-109(b)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(1) "Elderly voter" means any voter sixty (60) years of age or older; and

SECTION 7. Tennessee Code Annotated, Section 2-6-103(a)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(2) If the proper notice under subsection (c) is made, a county election commission may close its office on a state holiday and the Saturday following Good Friday during the period established for early voting.

SECTION 8. Tennessee Code Annotated, Section 40-20-113, is amended by deleting the section in its entirety and by substituting instead the following language:

The clerks of the criminal and circuit courts shall notify the county election commission of each person convicted of an infamous crime on a form to be furnished by the state coordinator of elections pursuant to § 2-11-202.

SECTION 9. Tennessee Code Annotated, Section 2-19-107(2), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(2) Votes in the primary elections of more than one (1) political party in an election.

SECTION 10. Tennessee Code Annotated, Section 2-2-201(2)(E), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(E) Shall be processed as an in-person voter registration;

SECTION 11. Tennessee Code Annotated, Section 2-3-204(b), is amended by deleting the language "sixty (60)" and by substituting instead the language "ninety (90)".

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.