

SENATE BILL 1767

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 2 and Title 55, Chapter 50, relative to voter registration.

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

SECTION 1. Tennessee Code Annotated, Section 2-2-201, is amended by deleting the section in its entirety and substituting instead the following:

(a) In addition to any other voter registration procedure provided for by law, the department of safety and each county election commission shall provide for voter registration procedures as follows:

(1) The commissioner of the department of safety shall by rule establish a procedure by which the department of safety shall, no less frequently than once quarterly, make accessible to the secretary of state electronic records containing the legal name, age, residence, and citizenship information for, and the electronic signature of, each person eighteen (18) years of age or older who completes an initial application for or application for renewal of a driver license, a photo identification license, or a handgun carry permit.

(2) Upon accessing and retrieving the electronic record for, and electronic signature of, a person described in subdivision (a)(1), the secretary of state shall make the information accessible to the county election commission of the county in which the person may be registered as a voter.

(3) Each county election commission shall, in accordance with a schedule established by the secretary of state by rule, periodically access the information made available by the secretary of state pursuant to subdivision

(a)(2) for the purpose of identifying and retrieving new electronic records of persons residing within the county.

(b) The electronic record and electronic signature of a person whose electronic record was obtained by a county election commission pursuant to subsection (a) shall constitute a completed in-person registration for the purposes of voter registration, and the county election commission shall register the person to vote if the person:

(1) Does not decline to be registered as a voter by providing notice to the:

(A) Department of safety at the time a license or permit application is completed;

(B) Department of safety within twenty-one (21) days of completing a license or permit application;

(C) County election commission in the person's county of residence within twenty-one (21) days of completing a license or permit application through the department of safety; or

(D) Secretary of state at any time prior to registration by a county election commission pursuant to this section;

(2) Is an eligible voter under the laws of this state; and

(3) Is not already registered to vote.

(c) The secretary of state shall post on its website and each county commission shall post in a location visible to the visiting public a conspicuous notice that describes the procedure to decline registration as a voter through the process prescribed by this section. Each county commission that maintains a website shall also post the notice on its website or provide a link to the notice on the website of the secretary of state.

(d) For purposes of voter registration pursuant to this section, the applicant's digital signature on file with the department of safety satisfies the signature requirement of § 2-2-116.

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 50, Part 3, is amended by adding the following as a new section:

(a) The commissioner shall post on the department of safety website and within each department of safety office that is open to the public for the issuance of driver licenses, photo identification licenses, and handgun carry permits a conspicuous notice that describes the procedure to decline registration as a voter through the process prescribed by § 2-2-201.

(b) The commissioner shall notify the secretary of state of any person who declines registration as a voter pursuant to the process prescribed by § 2-2-201.

SECTION 3. The secretary of state and the commissioner of the department of safety are authorized to promulgate rules to effectuate the purposes of this act. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2019, the public welfare requiring it.