

PUBLIC CHAPTER NO. 906

HOUSE BILL NO. 3456

By Representatives Odom, Hardaway

Substituted for: Senate Bill No. 3392

By Senators Finney, Berke, Stewart

AN ACT to amend Tennessee Code Annotated, Section 2-11-202 and Title 2, Chapter 2, Part 1, relative to purging voter registrations.

WHEREAS, it has been reported that in one county over two thousand deficient voter registration forms have been discovered; and

WHEREAS, it is the county administrator of election's responsibility to ensure that each voter registration form meets the legal requirements to vote; and

WHEREAS, allowing individuals to vote when the voter registration card has not been completed according to the laws of Tennessee may result in ineligible voters casting a vote; and

WHEREAS, it is not the legislative intent to condone or approve the failure of any administrator of elections to properly perform his or her duties; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 2-2-120, is amended by designating the existing language as subsection (a) and adding the following language as new subsections:

(b) Notwithstanding any other provision of law to the contrary, no voter shall be purged due to a deficient registration form once the administrator has declared the person a registered voter under subsection (a) unless the administrator later determines the voter knowingly made or consented to false information being placed on the registration form or failed to provide a valid signature.

(c)

(1) At least quarterly at a regularly scheduled county election commission meeting, every new voter registration form which has been filed since the last regularly scheduled meeting of the county election commission shall be inspected by a county election commission member of the majority party and the minority party. If a deficiency is found, the deficiency shall be recorded and a written report shall be prepared including the name of the administrator at the time the voter registration form was filed, the nature of the deficiency, and whether the individual

has voted since the deficient form was filed and accepted. Such report shall be filed with the state coordinator of elections. If no deficiencies are identified, the coordinator of elections shall be notified in writing of the finding. The commission members who inspect the voter registration forms shall sign and date the report.

(2) If a significant number of deficient voter registration forms are discovered, then the administrator of elections may be subject to discipline by the state election commission or be terminated by the county election commission.

(3) The coordinator of elections is authorized to develop a policy to implement this subsection (c).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 29, 2010


KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 11th day of May 2010


PHIL BREDESEN, GOVERNOR