

VOTING IN TENNESSEE IN 2024: VOTER REGISTRATION

Federal laws, *e.g.*, the 1965 Voting Rights Act, 1993's National Voter Registration Act, and 2002's Help America Vote Act, set the guidelines for the administration of elections across the country. However elections are administered at the state level. Policies from voter registration eligibility to how voters can cast their ballots vary from state to state.

This series highlights key elements of Tennessee's election laws so Tennessee voters can successfully participate in elections.

What Tennessee voters should know about voter registration:

ELIGIBILITY:
WHO CAN AND
CANNOT REGISTER



REGISTRATION:
WHEN, WHERE, AND
HOW TO REGISTER



MAINTENANCE:
WHEN TO UPDATE
YOUR VOTER
REGISTRATION



Each state is responsible for maintaining a voter registration database, which includes verifying and enrolling eligible applicants and keeping the list updated and current.ⁱ In Tennessee, those duties are performed at the county level at each of the 95 County Election Commission offices.



TN VOTER REGISTRATION HIGHLIGHTS

- ★ Tennessee residents who are U.S. citizens and at least 18 on or before Election Day (except for those with certain felony convictions) can register to vote.
- ★ In Tennessee, you lose the right to vote with a felony conviction (with some exceptions). You may be able to have your rights restored.ⁱⁱ
- ★ Voter registration is managed by counties. Moves from one county to another do not transfer.
- ★ Tennessee voters do not have to register by political party.
- ★ You must be registered by the voter registration deadline which is 30 days before Election Day.



WHO IS ELIGIBLE TO REGISTER TO VOTE IN TENNESSEE?

YOU CAN REGISTER TO VOTE IF:

- ✓ You are at least 18 years old on or before Election Day
- ✓ You are a Tennessee resident
- ✓ You are a U.S. citizen
- ✓ You have not been convicted of a felony,* or if you have, you have had your felony expunged or voting rights restored.

*Unless your felony conviction was for certain crimes not rendered “infamous” before January 15, 1973, or if it occurred between January 15, 1973 and May 17, 1981. These convictions did not result in lost voting rights—you remain eligible to register.

DID YOU KNOW?



Voting is based on residency.

There is no waiting period: Once you move to Tennessee, if you are eligible, you may register.

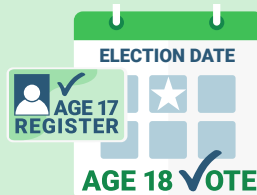
College students living in Tennessee can choose where to vote.

- 1 Register to vote in the Tennessee county you live in for school, or
- 2 Stay registered in your home state (or county).

★ Where you live determines who you can vote for ★

Decisions about where to register to vote mostly impact which local elections you wish to participate in.

All voters can vote for president, and voters anywhere in a state can vote for governor and U.S. senator. But local offices, e.g., state legislators, city mayors and councilmembers, and U.S. representatives, are based on where you are registered.



You can register if you will be 18 on election day.

- ✓ You can register to vote if you are 17 but will be 18 by the time of the next election.

You may be eligible to register with a felony conviction.

If you have been convicted of a felony anywhere, you lose the right to vote in Tennessee (with some exceptions).ⁱⁱⁱ Except for certain convictions, you may have your voting rights restored.^{iv}



You are eligible to register if:

Your conviction was for certain crimes not rendered “infamous” before January 15, 1973

Your conviction occurred between January 15, 1973 and May 17, 1981

You have had your voting rights restored or felony expunged



You are ineligible to register with the following convictions:

As of July 1, 1986: Voter fraud, treason, first-degree murder, and aggravated rape

As of July 1, 1996: Any degree of murder or rape

As of July 1, 2006: Sexual or violent sexual offenses that are felonies where the victim was a minor, or felony bribery, misconduct involving public officials and employees, or interference with government operations.

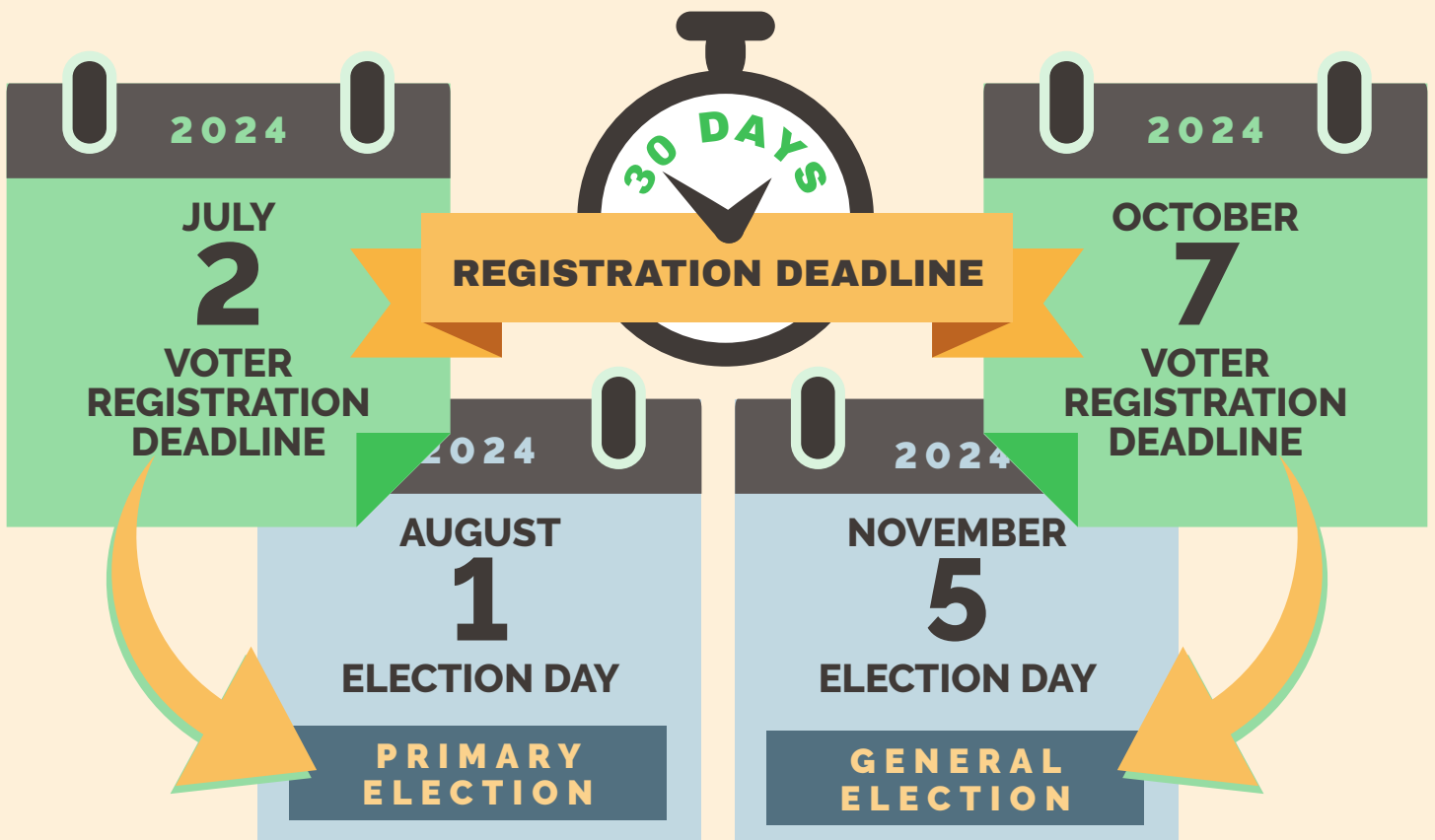


VOTER REGISTRATION DEADLINE:

30 DAYS BEFORE ELECTION DAY

Online voter registrations must be completed, and paper registration forms postmarked, **by the 30th day before an election.**^v If the deadline falls on a weekend or legal holiday, the deadline becomes the next business day.^{vi}

UPCOMING 2024 STATE AND FEDERAL REGISTRATION ELECTION DEADLINES



The Presidential Preference Primary was held on March 5, 2024.

DID YOU KNOW?

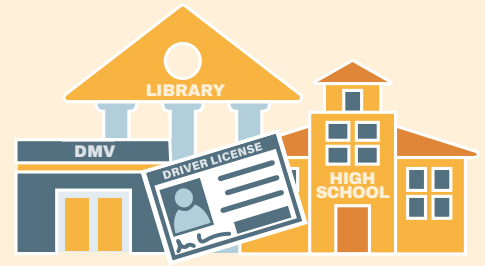
Applications submitted after the deadline will be processed later.



If you submit a voter registration application after the deadline, you will not be eligible to vote in the upcoming election. Applications will be processed after the election, and if eligible, you may vote in the next election.



WHERE TO REGISTER TO VOTE REQUIRED REGISTRATION LOCATIONS



★ State Agencies ★

The National Voter Registration Act (NVRA) requires states to provide voter registration opportunities at specific state agencies.^{vii}

Departments of Motor Vehicles (the Department of Safety and Homeland Security in Tennessee). You must be given the opportunity to register to vote when applying for or renewing a driver's license.

Public Assistance Agencies. Offices providing public assistance and state-funded programs primarily providing services to persons with disabilities also must provide the opportunity to register.

Other State Agencies. Tennessee state law also designates public libraries and high schools, and offices of county clerks, and registers of deeds as voter registration agencies.^{viii}

★ High School Registration ★



County Election Commissions are required to conduct at least one voter registration event at every public and private high school in the county.^{ix}

★ Naturalization Ceremony ★



County Election Commissions must also conduct voter registration events at planned and scheduled group naturalization ceremonies within the county.^x

ADDITIONAL OPPORTUNITIES

★ Third-Party Voter Registration Drives ★

Third parties, *i.e.*, non-election officials, such as HeadCount or the League of Women Voters may also collect voter registration applications.



Tennessee Laws for Third-Party Voter Registration Drives

Laws passed in 2020 and 2024 place requirements and prohibitions on collecting voter registration applications.

REQUIREMENTS



Collected applications must be submitted within 15 calendar days of when the applicant signs it, or the voter registration deadline if it is sooner.^{xi}



An applicant's information cannot be retained for non-voter engagement reasons without their consent in writing.^{xii}

PROHIBITIONS



Applications cannot be altered without the applicant's knowledge or consent



Applications cannot be pre-filled with information about the applicant



Anyone with felony convictions related to elections, aggravated perjury, or financial exploitation of elderly or vulnerable persons cannot handle or collect voter registration applications^{xiii}



You cannot set quotas or pay people based on the number of applications collected^{xiv}

✓ However, a person can be paid or employed to conduct voter registration on an hourly or salary basis.



HOW TO REGISTER TO VOTE: THE VOTER REGISTRATION APPLICATION



Available online at the [Secretary of State's website](#) and at County Election Commissions and other government offices, public libraries, and schools.^{xv} Military and overseas voters can also submit applications postage free via air mail.^{xvi}



Residents of any state can use this form, created by the U.S. Election Assistance Commission (EAC). It is available on [eac.gov](#), along with each state's specific instructions.^{xvii}



If you have a Tennessee driver's license or ID issued by the Department of Safety, you can register to vote online at [ovr.govote.tn.gov/](#) and through the Go Vote TN app.

DID YOU KNOW?

Full Social Security Numbers are required.

You must provide your full Social Security Number on the voter registration application.



Filling out the voter registration application with a felony conviction.

The application asks: **If you have a felony conviction.** If your record has been expunged, answer "no."

For the crime, date, and place of conviction. This information is not required.

If you have had your voting rights restored. Include a copy of that verification with your registration application.



How you register matters.

Voter registrations are either considered "in person" or "by mail," and they mean different things for how you can cast your first ballot.

If you register by mail, you cannot vote absentee unless you have first verified your identity with your County Election Commission by:

- ✓ Voting in person (in a previous election in the county).
- ✓ Going to your County Election Commission and asking them to update your registration to in person.



In-Person Registrations are completed with state officials* who can verify your identification.

*At your County Election Commission, Dept. of Safety, or a registration drive with election officials.



By-Mail Registrations are completed without identification verification.*

*Paper applications mailed to election offices, applications submitted online, or registration drives by non-election officials.



WHEN TO UPDATE YOUR REGISTRATION: MOVES AND NAME CHANGES

Because voter registrations are based on your name, address, and the county you live in, voter registration records must be updated if those change.



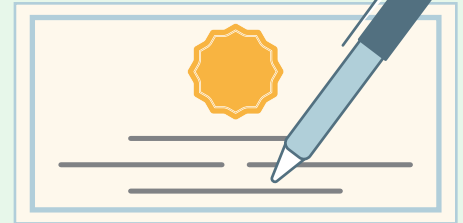
Moves within the Same County:

Update your address on your existing registration record through the online voter registration site, by mail, or in person with your County Election Commission office.^{xviii}



Moves to a New County:

Voter registrations do not transfer across counties. If you move from Nashville (Davidson) to Franklin (Williamson) or Kingsport (Sullivan) to Knoxville (Knox), **re-register in your new county.**



Name Changes:

If you change your name, you may update your existing voter record either through the online voter registration site or with your County Election Commission.

DID YOU KNOW?



What happens if you move within the same county?

You may still be able to cast a ballot if you have moved within the same county and haven't updated your record in time.

Where you cast your ballot depends on when you are voting:

✔ Voting during Early Voting

Because you may use any polling location in your county during Early Voting, you can update your address and vote at any polling location.

✔ Voting on Election Day

If your new address is in the same polling precinct as your old address, you can cast a ballot.

If your new address puts you in a different polling precinct, you will have to go to that precinct to cast your ballot (except for in counties with Convenience Vote Centers where you can change your address and cast your ballot in any location in your county).^{xix}

What happens if you move after a voter registration deadline?

Voters who move after a voter registration deadline may still be able to vote for at least some offices.



▶ If you move to a new Tennessee county from another Tennessee county.

You can still cast a ballot in state and federal primary and general elections by voting in your former county (if you were registered there) for up to 90 days.

▶ If you moved to Tennessee from another state within 30 days before Election Day.

You cannot vote in Tennessee. However, you can vote for president at your previous voting location either in person or absentee.^{xx}

▶ If you move out of Tennessee within 30 days before a presidential election.

If you are unable to register to vote in a state because their deadline has passed, you can vote for president at your old Tennessee address.^{xxi}

References

- i. In Tennessee, voters may be removed from voter registration lists by request, for changes of address, death, felony conviction, and inactivity (with proper notice), among other reasons. Tenn. Code Ann. § 2-2-106.
- ii. If eligible, restoring voting rights is a complicated process involving multiple steps and legal assistance. You must receive either a pardon from the governor or petition the court to restore your full citizenship rights (including gun rights). In addition, you must complete a Certificate of Restoration confirming that you have completed your sentence and do not owe restitution or court costs. You must additionally be current on any child support obligations. See here for additional information: https://www.thinktennessee.org/wp-content/uploads/2024/01/vrr_cor_process_infographic.pdf.
- iii. For the list of convictions that did not result in loss of voting rights, see <https://sos.tn.gov/elections/guides/restoration-of-voting-rights>.
- iv. For the list of convictions and the qualifying date ranges that result in permanent loss of voting eligibility, see <https://sos.tn.gov/elections/guides/restoration-of-voting-rights>.
- v. Election officials will accept a mailed voter registration application that does not have a postmark but is signed and dated before the voter registration deadline if they receive it before the 27th day before an election. Tenn. Code Ann. § 2-2-109(a).
- vi. Tenn. Code Ann. § 2-2-109.
- vii. Sec. 7 of NVRA, 52 U.S. Code § 20506.
- viii. Tenn. Code Ann. § 2-2-202.
- ix. Tenn. Code Ann. § 2-2-111(b).
- x. Tenn. Code Ann. § 2-2-111(d).
- xi. Tenn. Code Ann. § 2-2-142(e). The legislature passed a new law in 2024 adding the requirement that the date that the applicant signs the voter registration application starts the 15-day clock for it to be turned in.
- xii. You cannot copy or retain information provided by the applicant for any reason other than voter participation, voter engagement, or voter turnout unless you inform the applicant how it will be used, and they agree in writing. The SSN may not be used in any way. Tenn. Code Ann. § 2-2-142(f).
- xiii. Relevant felony convictions include election-related felony convictions (under Title 2 of the Tennessee Code), offenses of financial exploitation of elderly or vulnerable persons (Tenn. Code Ann. § 39-15-502), and aggravated perjury (Tenn. Code Ann. § 39-16-702).
- xiv. Tenn. Code Ann. § 2-2-142(c) and (d).
- xv. Tennessee's Application for Voter Registration is available at <https://sos.tn.gov/elections/services/register-to-vote-paper-form-mail-in-or-hand-deliver>.
- xvi. Tenn. Code Ann. § 2-6-501
- xvii. EAC's National Mail Voter Registration Application is available at https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf.
- xviii. Tenn. Code Ann. § 2-2-129(a). The Secretary of State's website also provides relevant information on updating voter registration, available at <https://sos.tn.gov/elections/guides/how-to-update-your-voter-registration>.
- xix. Convenience Voting Centers (Vote Centers) are used on Election Day and act the same as Early Voting polling places. Voters in counties with Vote Centers may choose any polling place in the county to vote on Election Day, whereas those in counties without Vote Centers must vote at their assigned polling place.
- xx. The Voting Rights Act, 52 U.S. Code § 10502(e), protects your right to cast a ballot in a presidential election after a change of residence close to Election Day.
- xxi. Tenn. Code Ann. § 2-2-103.

THINKTENNESSEE

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VOTING IN TENNESSEE IN 2024: CASTING BALLOTS

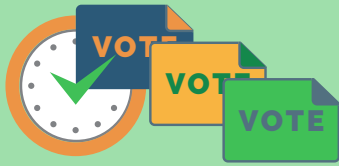
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This series highlights key elements of Tennessee's election laws so Tennessee voters can successfully participate in elections.

What Tennessee voters should know about casting ballots:

ELECTION TYPES AND TIMING:

WHO AND WHAT YOU VOTE FOR



CASTING BALLOTS:

WHEN, WHERE, AND HOW YOU VOTE



POLLING PLACE PROCEDURE:

POLLING PLACE DO'S AND DON'TS

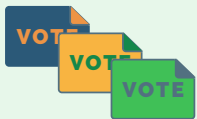


Tennesseans vote in elections to determine multiple outcomes—from local, state, and federal representatives to changes to local charters and the state constitution. The rules and processes for how voters participate in these different types of elections are the same.



CASTING A BALLOT IN TN

- ★ You need a **Tennessee or federally issued photo ID** to cast a ballot in person. Student IDs are not accepted.
- ★ On Election Day, you must **vote at your assigned polling place**. But if your county operates **Vote Centers** on Election Day, you can **cast your ballot at any designated Vote Center** in the county.
- ★ During an **Early Voting period**, if your county has more than one polling place open, you can **cast your ballot at whichever location you choose**.
- ★ Some polling locations may be used just for Early Voting or Election Day, and others will be used for both. **Check with your County Election Commission to confirm what your polling place options are.**




TYPES OF ELECTIONS

PRIMARY AND GENERAL ELECTIONS

Primaries are the Nominating Elections for General Elections


Primary Elections

Republican and Democratic candidates compete within their same political party in these “nominating” elections.

 Winners go on to represent the party in the general election.

General Elections

Candidates in this “final” election compete against other political parties or Independents.

 Winners are elected to the position.

RUN-OFF ELECTIONS

Some Local or Tied Races Lead to Run-Offs

In some counties, run-off elections may determine local or tied races.ⁱ

For example, the top two Nashville mayoral candidates run again if no one receives at least 50% of the vote in the primary.

SPECIAL ELECTIONS

Vacancies May Require Special Elections

A vacancy—when an elected official leaves office before the end of the term—that occurs outside of the regular election cycle requires a “special” election to fill the seat.

AMENDMENTS AND REFERENDUMS

Tennesseans May Also Vote on Issues

Constitutional Amendments

Voters can support or oppose proposed changes to the state constitution in gubernatorial election years.ⁱⁱ

Ballot Referendums

Voters may also vote to change local charters (*i.e.*, term limits) or on issue campaigns (*i.e.*, transit plans).

DID YOU KNOW?



Constitutional amendments can only be placed on the ballot by legislators.

The General Assembly must pass a joint resolution proposing a constitutional amendment in two consecutive sessions before it gets on the ballot for voters.^{iii,iv}

Local ballot referendums can come from voters.



Processes vary, but referendums can get on the ballot with the support of 10%-15% of registered voters.^v



Tennesseans do not register by party, so we choose which primary to vote in.

You can participate in a party’s primary if you are affiliated with, or state your intent to affiliate with, that party.^{vi}



TIMING OF ELECTIONS

Elections for federal, state, and county offices are held during even years, and Tennessee municipal elections vary and may occur during odd years.

FEDERAL ELECTIONS

Presidential or Congressional "Midterm"

PRESIDENT
Every four years

★

CONGRESS
Every two years

EVEN YEARS

PRIMARY

March
(President)

August
(Congress/
Midterms)

GENERAL

November

Voters in all states cast ballots in November, but state primary elections occur at various times. Tennessee's presidential primary is in March (Super Tuesday). Primaries for other federal offices (and non-presidential cycles) are in August.

STATE ELECTIONS

State Legislature and Governor

GOVERNOR
Every four years

★

STATE LEGISLATURE
Every two years

EVEN YEARS

PRIMARY

August

GENERAL

November

Elections for state offices follow the same cycle as federal elections, with our gubernatorial elections occurring during the "midterm" federal election.

ADDITIONAL ELECTIONS

Judicial and County-Level Offices: Every Even Year^{vii}

- ★ March Primary + August General (Presidential Cycle)^{viii}
- ★ May Primary + August General (Midterm Cycle)

Municipal Elections: Even or Odd Years

- ★ Cities can hold municipal races at the same time as federal and state-level elections or on a separate cycle (including in odd years).^{ix}

JUDGE ★ COUNTY MAYOR
SHERIFF ★ REGISTER
CLERK ★ ASSESSOR
SCHOOL BOARD ★ TRUSTEE

State and Federal Election Cycle Timeline

Terms of Office	President	U.S. Senator	U.S. Representative	Governor	TN Representative	TN Senator
	4 years 2 terms max	6 years	2 years	4 years 2 terms max	2 years	4 years

2020		2022		2024		2026	
President	All TN House	All U.S. House	Governor	President	All TN House	All U.S. House	Governor
All U.S. House	Even TN Senate	1/3 U.S. Senate	All TN House	All U.S. House	Even TN Senate	1/3 U.S. Senate	All TN House
1/3 U.S. Senate		Odd TN Senate	Odd TN Senate	1/3 U.S. Senate		Odd TN Senate	Odd TN Senate



WHEN AND WHERE TO VOTE

EARLY VOTING: USE ANY POLLING PLACE IN YOUR COUNTY

Tennesseans have been able to cast ballots before Election Day since 1994. Early Voting starts 20 days before and run up to 5 days before Election Day (7 days before Election Day during the Presidential Preference Primary).

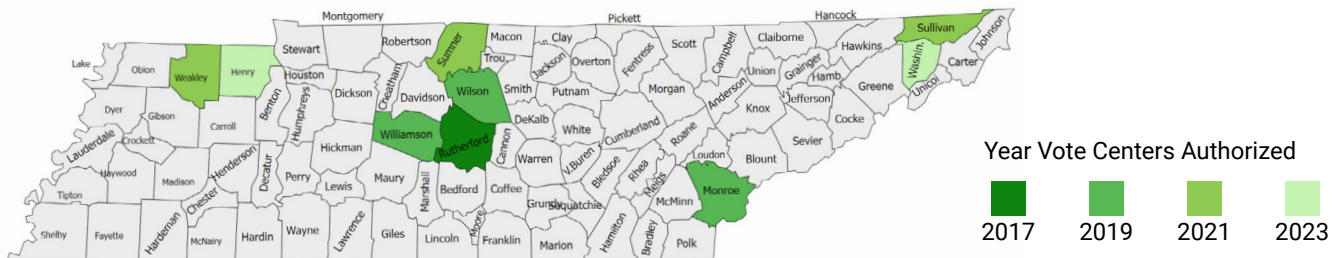
Counties can decide where and when to open Early Voting locations—smaller counties may have just one location—but they must be open at least three consecutive hours each weekday—including Saturday—between 8:00 a.m. and 6:00 p.m. local time.^x

ELECTION DAY: USE YOUR ASSIGNED POLLING PLACE

If you are casting your ballot on Election Day—except for in counties with Vote Centers—you must go to the specific polling place assigned to you.

Six Tennessee counties operate Vote Centers on Election Day.*

Vote Centers operate like Early Voting where you can use any polling place in the county; you do not have to use the one assigned to you based on your address.



*Three counties, Washington, Sullivan, and Sumner, received permission but have not implemented Vote Centers yet.

DID YOU KNOW?



Your home address determines where you vote.

Your home address places you in a **district** which determines which elected offices represent you and a **precinct** which assigns your Election Day polling place.^{xi}

Early Voting ballots are not counted until Election Day.

Election officials can tell you how many votes were cast during Early Voting, but results (how many votes each candidate received) are not known until after polls close on Election Day.



Early Voting is not required for certain elections.



In certain elections, if a race does not have more than one candidate, there will be no Early Voting period.^{xii}



Some voters who cannot make it to the polls have additional opportunities to cast their ballots in person.

Election officials conduct on-site voting at nursing homes and assisted living facilities, hospitals, and jails.^{xiii,xiv}



HOW TO VOTE

Tennessee voters can cast ballots at a **polling place** or **vote absentee**.

See **Part 3** for more details

CASTING A BALLOT AT A POLLING PLACE

Voters cast ballots in-person at a polling place one of three ways.

1 Hand-marked paper ballots

Voters use a pen to mark a paper ballot that is then scanned into a machine.^{xv}

2 Voting Machines

Tennessee counties use one of two types of voting machines

Machine with an Attached Printer.

Voters make selections on a machine screen. Your choices are printed onto a paper roll attached to your screen for you to confirm.^{xvi}

Hybrid Ballot Marking Device.

Selections voters make on a screen are printed onto a paper ballot that can be reviewed before being inserted into a separate machine where it is counted and saved.

3 Provisional Ballots

If you do not appear on a voter roll or have a photo ID, you may still cast a "provisional ballot."

These ballots are sealed in an envelope with a detachable affidavit containing your identifying information and the reason you are voting provisionally. They are reviewed and either accepted (if you are found to be eligible) or rejected.^{xvii}

ABSENTEE VOTING

Three types of voters unable to make it to a polling place during the Early Voting period or on Election Day may vote absentee and return their ballot by mail.



Permanent Absentee Voters

Voters may register as a "permanent absentee voter" and receive an absentee ballot for every eligible election.^{xviii}



Uniformed and Overseas Citizens

Voters overseas, including members of the Armed Forces and their families, may request an absentee ballot from fvap.gov which can be mailed or emailed to them.^{xix}



Certain Eligible Voters

Voters meeting specific excuses for why they are unable to make it to a polling place may request to vote absentee.



Voters Eligible to Vote Absentee



Age: Voters who are at least 60 years old

Out of Town: Voters out of state on Election Day or during Early Voting



Health: Voters who are—and caretakers of those who are—hospitalized, ill, or have a physical disability

Role: Voters who are unable to attend the polls due to their role in the election or jury duty

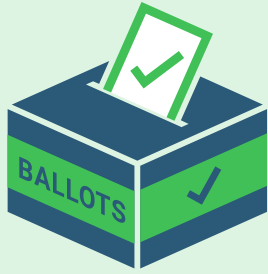


Special Circumstances: Voters who cannot vote in person because they are observing a religious holiday or have an inaccessible polling place

DID YOU KNOW?

Once you cast your ballot, you cannot change it.

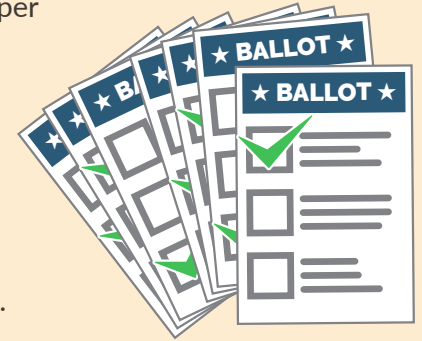
Voters should always review your ballots before submitting them. If you see a mistake or change your mind, you can make these changes before you cast your ballot.



All Tennessee counties now provide paper backups.

As of January 1, 2024, all voting machines in Tennessee must provide a paper backup—a “voter-verifiable paper audit trail” (VVPAT).^{xx}

VVPATs provide an additional level of verification and security. Paper backups can be matched with the totals provided by machines during election audits for confirmation.




Voting precincts should be made accessible if possible.

If you have been assigned to a precinct that cannot reasonably be made accessible, you may arrange to vote on Election Day at your County Election Commission office.^{xxi}



You must mail in your absentee ballot.

To be counted, absentee ballots must be returned **by mail** and received **by the close of polls on Election Day**.

 You cannot take your ballot to your County Election Commission in person.

Voters requiring assistance can have help casting a ballot.

If you have a physical disability, are unable to read, or unable to mark your ballot on your own, you can bring someone with you or have an election judge at the polling place assist you.^{xxii}



Provisional ballots require follow up.

Either election officials or voters must take additional steps after casting a provisional ballot, depending on the circumstance.



Election Officials

If you are not on the voter roll but think you registered to vote, election officials have **four business days** after Election Day to review registration records.

If they find that you should be on the voter roll, your provisional ballot will be counted. If they can't confirm you should be registered, you will be notified and registered for the next election.^{xxiii}

Voter

If you have forgotten an accepted form of photo ID or you do not have one, you have **two business days** to come back with it, or to get one.

If you can present your ID to election officials in this time frame, your ballot will be counted.



POLLING PLACE PROCEDURE: DO'S AND DON'TS



POLLING PLACE DO'S

Most Tennessee voters must show a valid federal or state-issued photo ID.

Accepted Forms of Voter ID



- TN Driver's License
- U.S. Passport
- Photo ID Issued by the TN Department of Safety and Homeland Security
- Federal or TN Government-Issued Photo ID
- U.S. Military Photo ID
- TN Handgun Carry Permit With Photo

Not Accepted Forms of Voter ID



- College Student ID
- Photo ID Not Issued by Federal or TN State Government, e.g., Library Cards or Photo IDs Issued by Other States

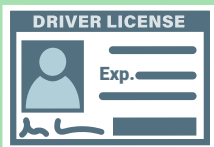


POLLING PLACE DON'TS

Voters are not permitted to do or wear certain things inside, or near, polling places.

- ⊘ **Campaign Materials:** You cannot have posters and signs or wear clothes or accessories with candidates or party names, slogans, or emblems in a polling place. If you are wearing any of these items, they must be covered when you come within 100 feet of the polling place.^{xxiv}
- ⊘ **Vote Solicitation:** Candidates or supporters are not allowed to solicit votes within 100 feet of a polling place entrance.^{xxv} Violation of this policy is a Class C misdemeanor.^{xxvi}
- ⊘ **Persons Not Allowed:** Law enforcement cannot come within 10 feet of a polling place other than to vote or at the request of election officials (or to make an arrest).^{xxvii}

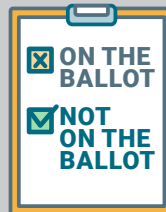
DID YOU KNOW?



You may use an expired photo ID.

Your qualifying ID can be expired. However, if you are a first-time voter and registered by mail or online, you must also have a document—a current utility bill, bank statement, paycheck, or other government document that shows your name and address.

The restriction on campaign materials applies only to candidates on the ballot.



Campaign materials or slogans for candidates not on the ballot are allowed.

You cannot be paid in exchange for voting.

Voters may not be paid or offered anything "of value"



to vote for or against a candidate or issue or for having gone to or remained away from the polls.^{xxviii} No state law prohibits giving food or water to voters waiting in line at a polling place.

Some voters are exempt from showing a photo ID.

Absentee voters and those who are hospitalized, indigent and unable to obtain a photo ID without paying a fee, or who are residents of nursing homes who vote at the facility or have a religious objection to being photographed do not need to show a photo ID.



References

- i. Tied elections result in different outcomes, depending on the seat being filled. In a tied gubernatorial election, the General Assembly casts the deciding vote. In a tied U.S. House of Representatives election, the governor casts the deciding vote, and for the U.S. Senate, a special election is called to determine a winner. In elections for municipal offices and some county offices, the local legislative body could call for a run-off election. Tenn. Code Ann. § 2-8-111.
- ii. To pass, constitutional amendments must receive more “yes” than “no” votes and more “yes” votes than 50% of the total votes cast for governor.
- iii. General Assembly sessions in Tennessee are two-years, so two consecutive sessions is a four-year period.
- iv. Joint resolutions must receive a majority of votes in the first session and two-thirds majority in the second. Tennessee Const art XI § 3. A two-thirds majority is at least 22 members in the state senate and 66 members in the state house of representatives.
- v. The requirements for placing issues on local ballots in Tennessee are within local charters and not uniform across the state. The process may differ by types of issues eligible for the ballot or threshold of required signatures. For example, voters of Nashville-Davidson may petition for a change to the local Charter with signatures of at least 10% of registered voters (See Metro Charter, Sec. 19.03(e)).
- vi. Tenn. Code Ann. § 2-7-115(b) states that you must be a “bona fide member of and affiliated with” a party or at the time you vote, you declare “allegiance to” and state your intent “to affiliate with” the party. The law is meant to prevent “cross-over” voting of intentionally voting in a Democratic primary if you identify as a Republican and vice versa. However, if you are an unaffiliated or independent voter, you can choose which party primary to participate in.
- vii. Judges are elected for eight-year terms, with some running for election, e.g., state trial court and county judicial offices, and others running for retention election, e.g., state Supreme Court and court of appeals. The governor appoints judges for the state Supreme Court, court of appeals, and court of criminal appeals. Voters then vote to “retain” these judges at the end of their first term. County-level offices include county mayors and commissioners, sheriff, assessors of property, and school board members.
- viii. States hold their presidential preference primaries at different times.
- ix. Cities, regardless of charter-type, may determine when to hold elections. Tenn. Code Ann. § 6-54-138 (private act charters); Tenn. Code Ann. § 6-3-104 (mayor-aldermanic charters); Tenn. Code Ann. § 6-20-102(c) (city manager-commissioner charters); Tenn. Code Ann. § 6-31-102 (modified city-manager council charters).
- x. There are some exceptions based on county population size. For example, counties with populations smaller than 5,000 can determine Saturday hours. Tenn. Code Ann. § 2-6-103.
- xi. A voting precinct is a geographical unit for the holding of elections having one polling place. Tenn. Code Ann. § 2-1-104(a)(18). All voters in a precinct are assigned the same Election Day polling place.
- xii. Tenn. Code Ann. § 2-6-102(b)(1). There is no Early Voting period for certain elections if there is no opposition to any race, including no qualifying write-in candidate. These elections include a special primary election for state or federal office, or a primary called by a party (Tenn. Code Ann. § 2-13-203), or general elections held at certain times (not in conjunction with other scheduled elections). The exception to this rule is for municipal elections held in the largest municipality in a county with a metropolitan form of government and more than 500,000 people. Tenn. Code Ann. § 2-6-102(b)(2).
- xiii. Nursing home residents are defined as residents of licensed nursing homes, assisted care living facilities or homes for the aged (other than a penal institution), including independent living facilities on the same property. Tenn. Code Ann. § 2-6-601. County Election Commissions perform on-site voting up to 29 days before Election Day.
- xiv. You can also make an emergency request to your County Election Commission within 20 days of an election if you’re unable to vote in person due to an emergency. Tenn. Code Ann. § 2-6-401.
- xv. During a February 20, 2024, Senate Finance, Ways, and Means Committee presentation, the coordinator of elections reported that 17 counties use hand-marked paper ballots.
- xvi. A printer roll is attached to these voting machines. You can see your ballot under a protective screen. Once you are finished, your ballot rolls away; the next voter cannot see it.
- xvii. Similar to the absentee ballot counting boards, provisional ballots are counted by boards that include an election officer and election judges appointed from both Republican and Democratic parties (Tenn. Code Ann. § 2-4-104), or if there are fewer than 100 ballots to be counted, the election commission serves as the counting board. Tenn. Code Ann. § 2-7-112(a)(3)(B)(i).
- xviii. Tenn. Code Ann. § 2-6-201(3)(A). Voters with a physical disability or who are sick or unable to vote in person can register to become a permanent absentee voter. A physician’s note is required in this case, and voters will be mailed a ballot application for every election they are eligible to vote in (they do not need to apply each election).
- xix. Tenn. Code Ann. § 2-6-502. See also Secretary of State Guidance available at <https://sos.tn.gov/elections/guides/how-to-vote-absentee-for-military-and-overseas-voters>.
- xx. Tenn. Code Ann. § 2-9-101. The legislature passed a law in 2022 (Public Chapter 1144) requiring all Tennessee counties to use voting machines that provide a VVPAT by 2024. See <https://publications.tnsosfiles.com/acts/112/pub/pc1144.pdf>.
- xxi. Tenn. Code Ann. § 2-3-109. Elderly voters and voters with disabilities can also vote absentee or during Early Voting. Each polling place has poll workers, including “election judges” who distribute paper ballots and serve in place of other election officials as needed. Tenn. Code Ann. § 2-7-102.
- xxii. Tenn. Code Ann. § 2-7-116. Anyone convicted of voter fraud cannot assist a person in voting. Election officials keep a record of the voter and the person providing the assistance.
- xxiii. You submit a voter registration application while completing a provisional ballot. If you are found not to be registered, that application is processed and you will be registered for the next election.
- xxiv. Tenn. Code Ann. § 2-7-111.
- xxv. Ibid.
- xxvi. Tenn. Code Ann. § 2-19-119.
- xxvii. Tenn. Code Ann. (Section) 2-7-103. Only election officials, voters and those assisting voters, press, and poll watchers are allowed inside polling places.
- xxviii. Tenn. Code Ann. § 2-19-126. Violation of this law is a Class C felony. Tenn. Code Ann. § 2-19-128.

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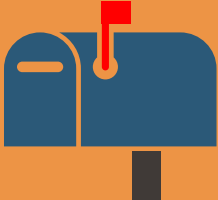

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VOTING IN TENNESSEE IN 2024: VOTING ABSENTEE

Federal laws, *e.g.*, the 1965 Voting Rights Act, 1993's National Voter Registration Act, and 2002's Help America Vote Act, set the guidelines for the administration of elections across the country. However elections are administered at the state level. Policies from voter registration eligibility to how voters can cast their ballots vary from state to state.

This series highlights key elements of Tennessee's election laws so Tennessee voters can successfully participate in elections.

What Tennessee voters should know about voting absentee:

<p>ELIGIBILITY: WHO IS AND IS NOT ELIGIBLE TO VOTE ABSENTEE?</p> 	<p>REQUESTS: REQUESTING AN ABSENTEE BALLOT</p> 	<p>VOTING: CASTING AN ABSENTEE BALLOT</p> 	<p>COUNTING: HOW ABSENTEE BALLOTS ARE REVIEWED</p> 
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Rather than voting in person on Election Day or during Early Voting, some Tennessee voters may cast a ballot early by mail, or “absentee.” Eligible voters request a ballot from their County Election Commission, mark their ballots at home, and return them through the mail.



- ★ Not every voter can vote absentee. You must **qualify** to vote absentee in Tennessee.
- ★ You **cannot** give an application form to request an absentee ballot to someone else. Doing so is a **Class E felony**.
- ★ If you registered to vote by mail and have not yet voted in person in a previous election (or otherwise had your identity verified), you **cannot** vote absentee.
- ★ You must **return your absentee ballot by mail**—it cannot be dropped off at an election office or polling place.
- ★ Your ballot must be **received by the close of polls on Election Day**.



WHO IS ELIGIBLE TO VOTE ABSENTEE

Tennesseans must meet specific eligibility requirements to qualify as an absentee voter.



Eligible Excuses for Voting Absentee in Tennessee

Age

Voters who are at least 60 years old



Health

Voters who are—and caretakers of those who are—hospitalized, ill, or have a physical disability

Out of Town

Voters not in their county on Election Day or during Early Voting, including:

- Full-time students at an accredited college or university outside of the county where they are registered (or their spouse)
- Valid commercial driver's license (CDL) or Transportation Worker Identification Credential (TWIC) card holders (or their spouse)



Role

Voters serving jury duty or who have a role in the election, including:

- Serving as an Election Day official
- Members or employees of an election commission
- Candidates for office on the ballot

Special Circumstances

Voters who cannot vote in person because they are:

- Observing a **religious holiday** that prevents voting in person on Election Day or during Early Voting
- Assigned an **inaccessible polling place** and have a physical disability



Two Additional Categories of Absentee Voters



Permanent Absentee Voters

Voters with a physical disability or who are sick or hospitalized and unable to vote in person may apply to become a permanent absentee voter.ⁱ



UOCAVA Voters (Uniformed and Overseas Citizens Absentee Voting Act)

Tennessee residents serving in the Armed Forces (and their families) overseas, and US citizens living abroad can request a ballot from fvap.gov.ⁱⁱ



WHO IS NOT ELIGIBLE TO VOTE ABSENTEE?

In addition to those not meeting an eligibility requirement, two types of voters may not vote absentee.



Two Types of Tennessee Voters are Not Eligible to Vote Absentee



First-Time Voters Who Register to Vote “By Mail”

Voters who have registered by mail must first either **vote in person** or have their identity verified before being allowed to vote absentee.ⁱⁱⁱ

- Voters who register “**in person**” have been seen by election or state officials, but voters who register “**by mail**” have not.^{iv}

See [Part 1](#) for more details

Residents of Homes for the Aged

Voters living in **licensed nursing homes, assisted living facilities, or independent living facilities on the same property** cannot vote absentee.


- Residents can either vote when County Election Commissions conduct on-site voting at these locations, or in person on Election Day or during the Early Voting period.




DID YOU KNOW?

If you register by mail, you can vote absentee after verifying your identity with your County Election Commission.

You can verify your identity by:



Voting in your first election in the county in person.



Going to your County Election Commission so they can see you in person, confirm your residency, and update your file.



Voter registration is county based.

When you re-register in your new county, it is considered a new registration.

Even if you voted absentee in your previous county, you must first verify your identity with your new County Election Commission.



You do not need to provide proof of absentee eligibility.

No physician's note is required when requesting an absentee ballot (except for permanent absentee voters). You sign an oath under penalty of perjury that you meet one of the specific requirements.



EACH ELECTION HAS AN APPLICATION REQUEST WINDOW

You must request an absentee ballot for every election you wish to vote absentee in.^v You can submit a request between 90 and seven* days before Election Day.

* In 2024, the state legislature passed a bill changing this to 10 days before Election Day starting after the November 2024 election.

AUGUST 1 PRIMARY ELECTION		2024 ABSENTEE REQUEST WINDOW	NOVEMBER 5 GENERAL ELECTION	
MAY 3 First day to request an absentee ballot	JULY 25 Last day to request an absentee ballot		AUGUST 7 First day to request an absentee ballot	OCTOBER 29 Last day to request an absentee ballot

REQUEST A BALLOT FROM YOUR COUNTY ELECTION COMMISSION

You can request an absentee ballot in the following ways:

In person at your County Election Commission		 Mail, fax, or email the following information to your County Election Commission, which will serve as a request: <ul style="list-style-type: none">Name, address, DOB, and SSNThe address to mail the ballot if it is different than your registered addressThe election you wish to participate inThe reason you wish to vote absenteeYour signature^{vi}
 Use the official "Absentee By-Mail Ballot Application" available on the Secretary of State's website or go to your County Election Commission's website	 	

ELECTION OFFICIALS PROCESS AND ACCEPT OR REJECT REQUESTS

County Election Commissions review requests to ensure it has all the necessary information and signatures match voters' registration records.

 Accepted Requests are accepted if signatures match and you have provided all the necessary information. When materials are ready, election officials mail you an absentee ballot and envelope to put it in, instructions, and a return envelope.	 Rejected Requests can be rejected if information is missing, you are ineligible, or if signatures don't match. ^{vii} Election officials can follow up with you to gather the necessary information, and they must give you written notice if your request is rejected. ^{viii}
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DID YOU KNOW?



You do not need to use the official application form to request an absentee ballot.

Absentee ballot requests are required in writing. If submitting a request via email, it must include a scanned signature.

You can provide the required information and signature on any piece of paper, including an unofficial application form.

However, it is a **Class A misdemeanor** to give an unofficial application to someone who has not requested it.^{ix}

You can receive help completing the absentee application, but no one other than an election official can give it to you.

While anyone can help you complete an absentee application—as long as you sign it—no one may give you the application.^x You must get the application yourself (online) or from an election official.

It is a **Class E felony**—resulting in the loss of voting rights—for a non-election official to give anyone the application form to request an absentee ballot.^{xi}



VOTING: CASTING AN ABSENTEE BALLOT



VOTE AND RETURN YOUR ABSENTEE BALLOT

After you receive your absentee ballot:

- ✓ Mark your selections on the ballot, and seal it in the envelope provided.
- ✓ Sign the attached affidavit under penalty of perjury to confirm you are eligible to vote in the election and the information you provided is accurate.
- ✓ Put your absentee ballot in the mail (with postage).
- ✓ Track your ballot's status on the state's "voter lookup page" to see when your County Election Commission receives it.

DID YOU KNOW?

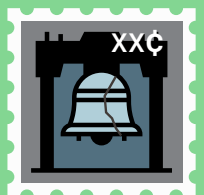


Absentee ballots must be mailed back to your County Election Commission.

You cannot turn in your ballot in person. Ballots must be mailed, and they must be received by the close of polls on Election Day.^{xii}

Voters pay postage.

The provided absentee return envelope is self-addressed to your County Election Commission, but you pay the necessary postage. Depending on the length (and weight) of the ballot, postage could vary, so check with your post office.





ELECTION OFFICIALS ACCEPT OR REJECT RECEIVED BALLOTS

Election officials review the voter's signature on the absentee ballot envelope to verify that it matches with the signature on record.



Accepted ballots are placed into a secure ballot box until the close of polls on Election Day.



If a signature does not match, or election officials determine the ballot is ineligible for any reason, it is rejected. They must immediately notify the voter in writing that the ballot has been rejected.^{xiii}



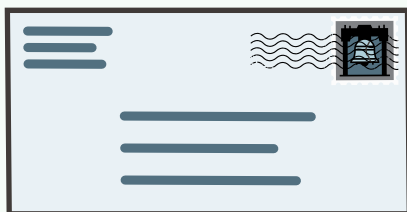
BALLOTS ARE COUNTED BY A COUNTING BOARD

After the polls close on Election Day, an appointed absentee-ballot-counting board reviews absentee ballots two more times and either accepts or rejects them.^{xiv}



STAGE

1



The Ballot Envelope

The board reviews the absentee ballot envelope again and determines whether to accept or reject it. If rejected, the ballot is marked "rejected" along with the reason and placed aside. Election officials must notify the voter by mail that their ballot was rejected.^{xv} If accepted, officials remove the affidavit from the envelope so that the ballot is anonymous.

STAGE

2



The Absentee Ballot

The board opens the accepted absentee ballots, ensures that each ballot includes the required watermark, and then counts the ballot.^{xvi}

References

- i. Permanent absentee voters are required to have a physician's note, and they will be mailed a ballot application for every eligible election. Tenn. Code Ann. § 2-6-201(3)(A).
- ii. UOCAVA voters are emailed absentee ballots, and they are sent ballots for all elections within a year. See <https://sos.tn.gov/elections/guides/how-to-vote-absentee-for-military-and-overseas-voters>.
- iii. Election officials need to see voters in person before allowing them to vote absentee. Voters can go to their County Election Commission in person and ask them to change their "by mail" registration to "in person."
- iv. "Election or state officials" include agents at the Department of Safety. "By mail" registrations include those made online, by mailed paper application, or with a third party.
- v. UOCAVA and permanent absentee voters are exceptions.
- vi. Tenn. Code Ann. § 2-6-202(a)(3).
- vii. Tenn. Code Ann. § 2-6-202(b). Signatures can be scanned if your request is made via fax or email. Tenn. Code Ann. § 2-6-202(a)(3).
- viii. Tenn. Code Ann. § 2-6-204. Election officials must notify the applicant "immediately" if the application is rejected.
- ix. Tenn. Code Ann. § 2-6-202(c)(4).
- x. Tenn. Code Ann. § 2-6-203.
- xi. Tenn. Code Ann. § 2-6-202(c)(3).
- xii. In 2020, voters could take absentee ballots directly to a specific post office in each county (still applying postage). These ballots would get to election officials directly rather than get processed through the mail. This may still be available in your county.
- xiii. Tenn. Code Ann. § 2-6-204(b).
- xiv. If there are fewer than 100 absentee ballots, the county election commission may serve as the board. Tenn. Code Ann. § 2-6-302(b).
- xv. Tenn. Code Ann. § 2-6-304(b).
- xvi. Tenn. Code Ann. § 2-6-304(c).

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VOTING IN TENNESSEE IN 2024: RESTORING VOTING RIGHTS

Federal laws, e.g., the 1965 Voting Rights Act, 1993's National Voter Registration Act, and 2002's Help America Vote Act, set the guidelines for the administration of elections across the country. However elections are administered at the state level. Policies from voter registration eligibility to how voters can cast their ballots vary from state to state.

This series highlights key elements of Tennessee's election laws so Tennessee voters can successfully participate in elections.

Here is what Tennessee voters should know about how to restore your voting rights:

ELIGIBILITY:

WHO CAN AND CANNOT REGISTER TO VOTE WITH A FELONY CONVICTION



RESTORING VOTING RIGHTS:

HOW TO HAVE RIGHTS RESTORED



REGISTERING:

HOW TO REGISTER AFTER RIGHTS HAVE BEEN RESTORED



In Tennessee, voting rights are lost with a felony conviction—whether received in Tennessee (with some exceptions), another state, or in federal court. Depending on the type and timing of the conviction, you may have your voting rights restored.



RESTORING VOTING RIGHTS IN TN

- ★ Felony convictions, whether received in Tennessee, other states, or federal court, **disqualify Tennesseans from registering to vote.**
- ★ The **time and type of conviction** determines whether you lose your voting rights.ⁱ Misdemeanor convictions do not affect voting rights.
- ★ Some convictions result in **permanent loss** of voting rights.ⁱⁱ
- ★ To be eligible to vote in Tennessee, you must complete Tennessee's voting rights restoration process **regardless of where your conviction was received.**
- ★ If your **conviction is expunged**, you may regain your voting rights.
- ★ Applying to have your voting rights restored requires multiple steps:
 - (1) Receive a **pardon** or have your **full citizenship rights restored** by a court, and
 - (2) Complete the **Certificate for Voting Rights Restoration (COR)** showing that you have completed your sentence and do not owe restitution or court costs.



WHAT A FELONY CONVICTION MEANS FOR YOUR ELIGIBILITY TO REGISTER TO VOTE

All felony convictions after May 18, 1981 in Tennessee and felony convictions received in other states or federal court disqualifies Tennesseans from registering to vote.

Some convictions result in permanent loss of voting rights. Otherwise your rights may be restored.ⁱⁱⁱ



You Are Eligible to Register

You did not lose your voting rights:



Tennessee convictions before January 15, 1973 not rendered "infamous"



Tennessee convictions from January 15, 1973 – May 17, 1981



Misdemeanor convictions

Your voting rights have been restored:



Record has been expunged



Completed Tennessee's voting rights restoration process



You Are Not Eligible to Register

Your conviction is for one of the following:



As of July 1, 1986
Voter fraud, treason, first-degree murder, and aggravated rape



As of July 1, 1996
Any degree of murder or rape



As of July 1, 2006
Sexual or violent sexual offenses that are felonies where the victim was a minor, or felony bribery, misconduct involving public officials and employees, or interference with government operations.



You have not had your voting rights restored

DID YOU KNOW?



You must still complete Tennessee's voting rights restoration process even if your conviction was not in Tennessee.

You must provide a pardon from the state of conviction's governor or U.S. president or a court certificate restoring your full citizenship rights in Tennessee and complete Tennessee's Certificate of Voting Rights Restoration (COR).



VOTING RIGHTS CAN BE RESTORED IN TWO WAYS

Voting rights can be restored by **expunging your conviction** or **completing a two-part, multi-step process** except for those felony convictions resulting in permanent loss.

(1) HAVE YOUR CONVICTION EXPUNGED

If eligible to have your conviction expunged, the process includes a waiting period and court petition.^{iv}

WAITING PERIOD
5 or 10 years after sentence completion, depending on the conviction

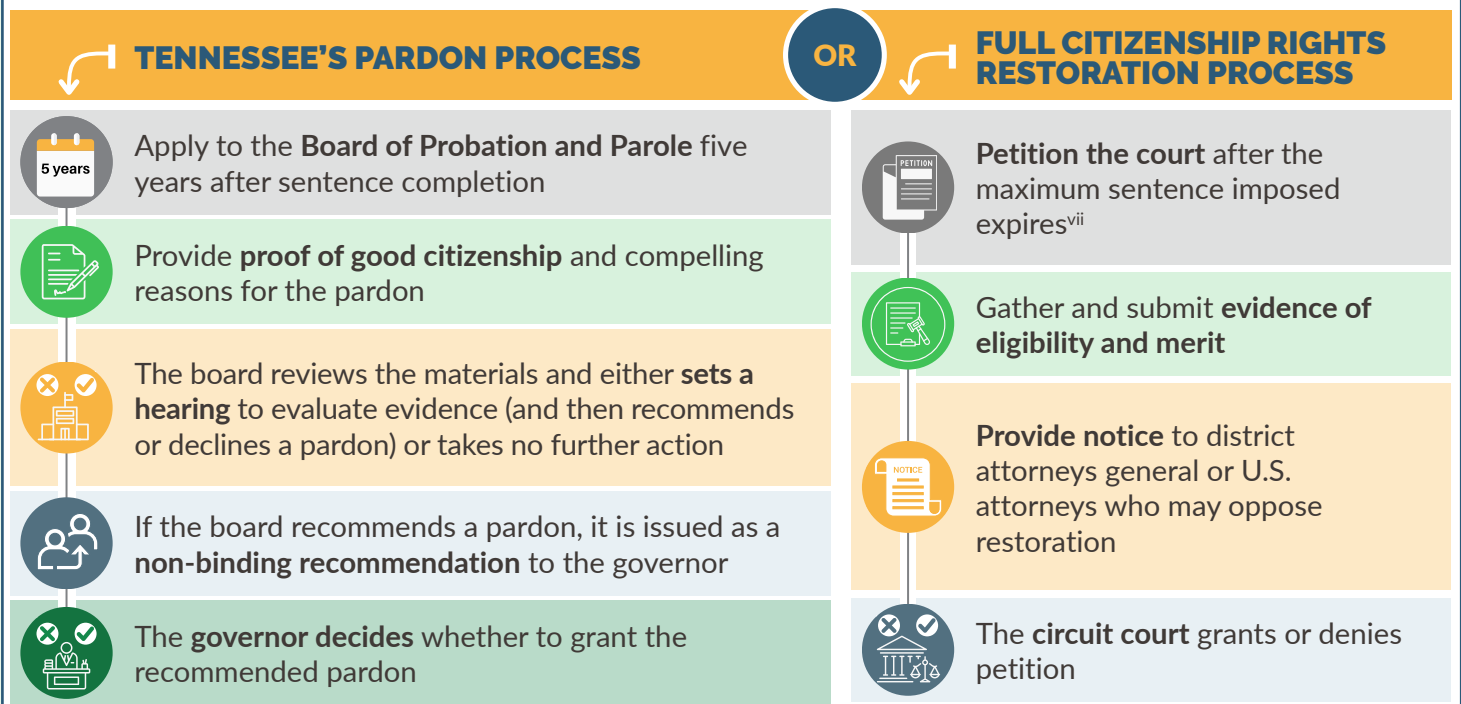
EXPUNGEMENT PROCESS

- Petition the court^v
- The district attorney general has 60 days to make their recommendation to the court
- The court reviews evidence and weighs your interest against the best interests of justice and public safety
- Court either grants or denies the petition
- If denied, you must wait two years to file another petition

(2) COMPLETE THE TWO-PART, MULTI-STEP RESTORATION PROCESS

STEP ONE: Receive a Pardon Or Have Full Citizenship Rights Restored

Pardons “forgive” a felony conviction and are granted (or denied) by state governors or the U.S. president. In Tennessee, other rights of citizenship lost with a felony conviction include the right to serve on a jury, hold public office, and to own firearms.^{vi}



STEP TWO: Complete the Certificate of Voting Rights Restoration (COR)

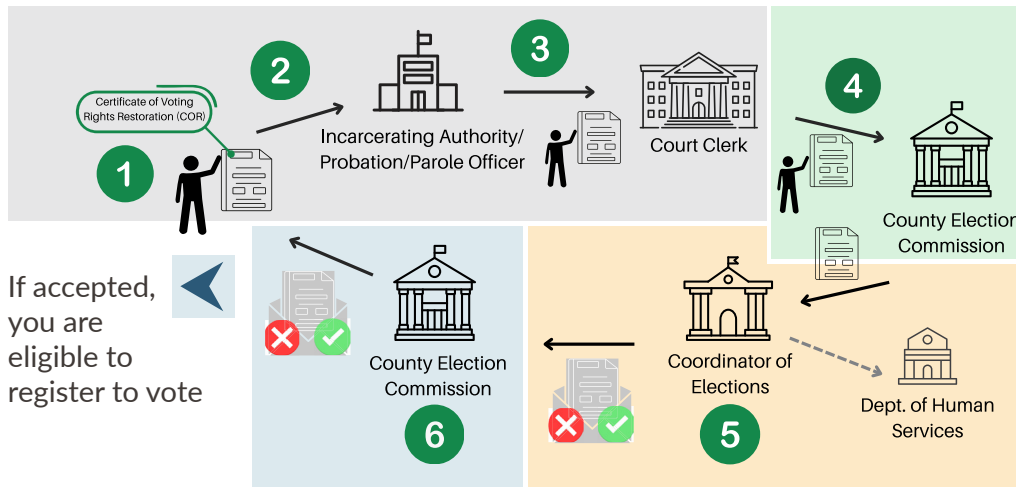
The Certificate of Voting Rights Restoration (COR) demonstrates that you are eligible to have your voting rights restored.

YOU ARE ELIGIBLE TO COMPLETE A COR

- ✓ Received a pardon or court order restoring full rights of citizenship^{viii}
- ✓ Completed your sentence, including probation or parole
- ✓ Do not owe any restitution or court costs
- ✓ Are current on any child support obligations

COR PROCESS

➤ An agent of the pardoning, incarcerating, or supervising authority affirms your sentence is complete and no restitution or court costs are owed^{ix}



➤ You submit the signed COR along with proof of pardon or court order restoring full citizenship rights to your County Election Commission who sends it to the state coordinator of elections

➤ The coordinator of elections reviews and confirms you are current on child support obligations

DID YOU KNOW?



Pardons and court petitions are discretionary.

Pardons and court petitions are not guaranteed. The Board of Probation and the governor may decline to consider a pardon or may decide a pardon is unwarranted, and a judge may decide to withhold citizenship rights.

There are new rules about who can complete sections of the COR.

Before July 2023, you were not allowed to fill in any part of the COR. Now, you can complete the first part of the form which includes your identifying information.

🔊 You are still not allowed to fill in the remainder of the form. That must be completed by an agent of the pardoning, incarcerating, or supervising authority.




The COR does not contain a section related to child support obligations.

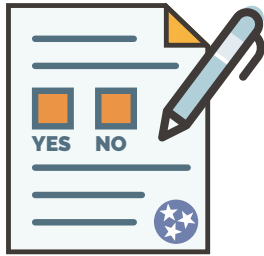
Unlike restitution and court costs where a state official must sign a declaration, child support obligations are checked by the state coordinator of elections after receiving the COR.



FILLING OUT THE VOTER REGISTRATION APPLICATION

Once you have received a pardon or court order restoring your full citizenship rights and completed the COR, you can apply to register to vote.

 If you have a felony conviction that resulted in a permanent loss of voting rights or if you have not had your rights restored, you are not eligible to register to vote.



Complete a voter registration application which asks, "Have you ever been convicted of a felony?"

Answer YES

If you have had your rights restored.

Answer NO

If you have had your record expunged.



Submit your application along with a copy of both (1) your pardon or court order and (2) your COR to your County Election Commission.



If your record has been expunged, you can submit a voter registration application with no additional material.

DID YOU KNOW?

Contact your County Election Commission if you are unsure about your eligibility.



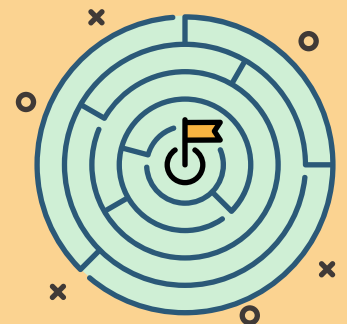
It is a felony to intentionally give false information or attempt to register when you are not qualified.^x

If you are unsure of your eligibility, do not submit a voter registration application without finding out more information.

Maneuvering the voting rights restoration process takes time.

It takes time to meet all the requirements for restoration, including: receive a pardon or have full citizenship rights restored, pay off court ordered restitution and court costs, and be current in child support obligations.

The process is complicated to maneuver and requires legal assistance. If you have questions about the process, there are organizations who can help you through the process.



References

- i. For the list of convictions and the qualifying date ranges that impact voting eligibility, see <https://sos.tn.gov/elections/guides/restoration-of-voting-rights>.
- ii. *Ibid.* The secretary of state's website lists convictions that result in permanent loss of voting eligibility.
- iii. *Ibid.* The secretary of state's website lists what convictions are disqualifying in certain date ranges. If your conviction is not on this permanently disqualifying list, your rights may be restored.
- iv. Not all convictions are eligible for expungement. See Tenn. Code Ann. § 40-32-101(g).
- v. Petition the court where the conviction occurred. See Tenn. Code Ann. § 40-32-101(g)(3).
- vi. The citizenship rights lost with a felony conviction include the right to serve on a jury (Tenn. Code Ann. § 22-1-102), hold public office (Tenn. Code Ann. § 40-20-114(a)), execute a fiduciary office (Tenn. Code Ann. § 40-20-115), own firearms (Tenn. Code Ann. § 39-17-1307(c)), and the right of suffrage (Tenn. Code Ann. § 40-20-112).
- vii. The petition should be filed in the circuit court either where the petitioner resides or where the conviction occurred. See Tenn. Code Ann. § 40-29-105(c).
- viii. Full rights of citizenship are interpreted to include the right to own firearms.
- ix. Part two of the COR is intended to be filled out by an agent of the pardoning authority, and agent or officer of the incarcerating authority, or a probation/ parole officer or agent of the supervising authority. However, they may not be able to complete the information on restitution or court costs owed, and you will have to try the county court clerk to complete these sections of the COR.
- x. See Tenn. Code Ann. § 2-19-107.

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VOTING IN TENNESSEE IN 2024: ELECTION INTEGRITY

Federal laws, *e.g.*, the 1965 Voting Rights Act, 1993's National Voter Registration Act, and 2002's Help America Vote Act, set the guidelines for the administration of elections across the country. However elections are administered at the state level. Policies from voter registration eligibility to how voters can cast their ballots vary from state to state.

This series highlights key elements of Tennessee's election laws so Tennessee voters can successfully participate in elections.

Here's what to know about Tennessee's election integrity:

VERIFYING VOTER ELIGIBILITY:
REGISTRATION AND LIST MAINTENANCE



VERIFYING IN-PERSON BALLOTS:
MACHINE TESTS, PAPER BACKUPS, AND AUDITS



VERIFYING AND SECURING ABSENTEE BALLOTS:
ELIGIBILITY REVIEW

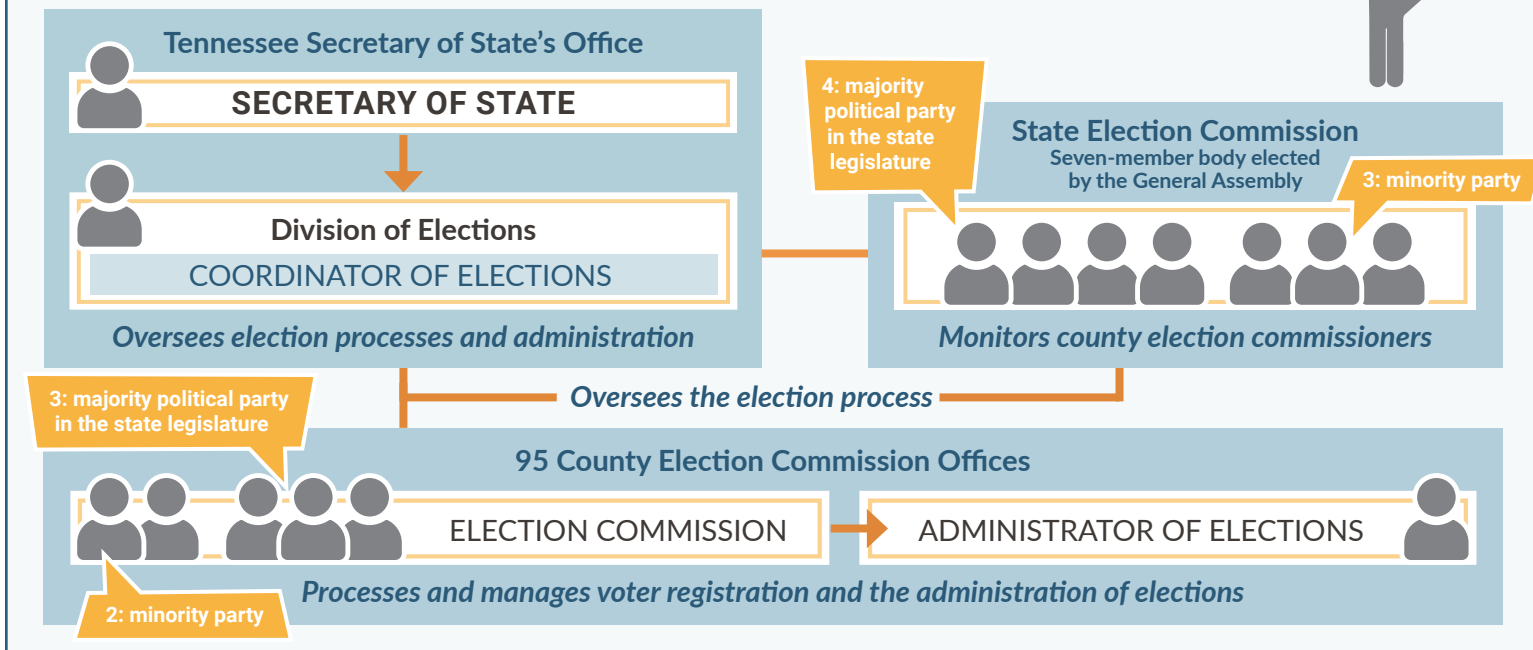


Tennessee elections are administered at the county level by County Election Commissions. Steps at every stage help to protect the integrity of Tennessee's elections by ensuring only eligible voters can participate and that all eligible votes are counted.



- ★ Tennessee's election process consists of multiple levels of security and checks for eligibility that help ensure the **system is trustworthy**.
- ★ Election officials **review voter registration applications** to ensure applicants are 18 years old, a Tennessee resident, a U.S. citizen, and don't have a disqualifying felony conviction or have had their rights restored.
- ★ Election officials regularly perform "list maintenance" to remove certain voters. You cannot be removed simply for not participating.
- ★ It's a good idea to **confirm that you are still registered** at tnmap.tn.gov/voterlookup/, and to do so before the voter registration deadline.
- ★ Voting machines now provide a **paper backup** that can be used in **post-election audits** to ensure an accurate vote count.

Tennessee Elections: Officials Who Oversee the Process



VERIFYING VOTER ELIGIBILITY: VOTER REGISTRATION AND LIST MAINTENANCE



THE APPLICATION PROCESS INCLUDES QUALIFYING QUESTIONS AND A VOTER DECLARATION

Election officials review voter registration applications to ensure applicants are eligible to register, and applicants affirm that the information they provide is accurate.ⁱ

ENSURING ELIGIBILITY ON THE VOTER REGISTRATION APPLICATION

➤ Two of the five voter registration application sections seek to determine eligibility to register.ⁱⁱ

SECTION ONE: VOTER ELIGIBILITY

You must answer “yes” to all three parts:

- ✓ Are you a citizen of the United States?
- ✓ Are you a resident of Tennessee?
- ✓ Will you be 18 or older on or before Election Day?

SECTION FOUR: FELONY CONVICTION

The application asks if you have ever been convicted of a felony.

- ✓ If you answer yes, it asks for additional information.ⁱⁱⁱ
- ✓ If you have had your voting rights restored or received a pardon, it asks you to provide proof.

➤ You declare under oath your statements on the application are true.

The application warns that “knowingly giving false information” or “attempting to register when not qualified” is a felony punishable by 2-12 years and/or a \$5,000 fine.

By signing the application, you affirm that your statements are true to the best of your knowledge.





ELECTION OFFICIALS PERFORM ROUTINE LIST MAINTENANCE TO KEEP VOTER ROLLS UP TO DATE

Election officials remove a voter from the voter roll if they **ask to be removed**, are **convicted of a felony**, **die**, or **move out of the county**.^{iv} Voters cannot be removed simply for not participating.^v

Election officials receive regular updates about deaths and convictions, and they are required to verify voter addresses at least every two years.^{vi} Removing voters who have moved requires multiple steps and takes multiple years.

ELECTION OFFICIALS MAIL A CONFIRMATION NOTICE TO VOTERS WHO THEY BELIEVE MAY HAVE MOVED

Election officials can only use information from specific sources to determine if a voter may have moved.^{vii} They mail these voters a **confirmation notice**, placing the voter on the **inactive voter** list until their address can be verified.



Confirmation Notice

Voters suspected to have moved are mailed a postage pre-paid, pre-addressed

returnable confirmation notice. Voters must return the notice, verifying that they either have or have not moved.^{viii}



Inactive Voter

Voters remain on the inactive voter list until they vote.^{ix} If inactive voters do not vote before the second regular November election,* they will be removed.

*A "regular November election" occurs in even years—presidential or midterm elections.

Only Specific Sources Used to Suggest a Voter Has Moved

- ✓ The U.S.P.S. National Change of Address service
- ✓ Returned mail from the County Election Commission
- ✓ A comparison of the voter registration records and those of other state agencies or from commercially available data such as credit agencies
- ✓ Information from the Department of Safety that a voter has surrendered their Tennessee license while obtaining one in another state.^x



DID YOU KNOW?

You can confirm your registration status, and you should do so before the registration deadline.

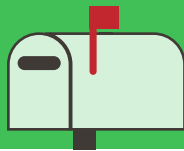
Even with protections in place to prevent voters from being mistakenly removed from the voter list, it is possible. If you miss a confirmation notice and don't participate in elections for a few years, you could be removed. Before an approaching voter registration deadline (30 days before Election Day), you can confirm you are still on the rolls here: tnmap.tn.gov/voterlookup/.





WHAT HAPPENS AFTER A CONFIRMATION NOTICE IS SENT DEPENDS ON IF A VOTER RESPONDS TO IT

If You Return the Confirmation Notice



You say that you have *not* moved

You will be returned to the active voter list.



You say you have moved

If you are still in the county, your registration is updated to reflect your new address.



If you moved to a new county, you are removed from the voter roll.

If You Do Not Respond to the Confirmation Notice



You show up to vote before the second regular November election

If you have not moved, or if you have moved within the same county, you can cast a ballot.^{xi}

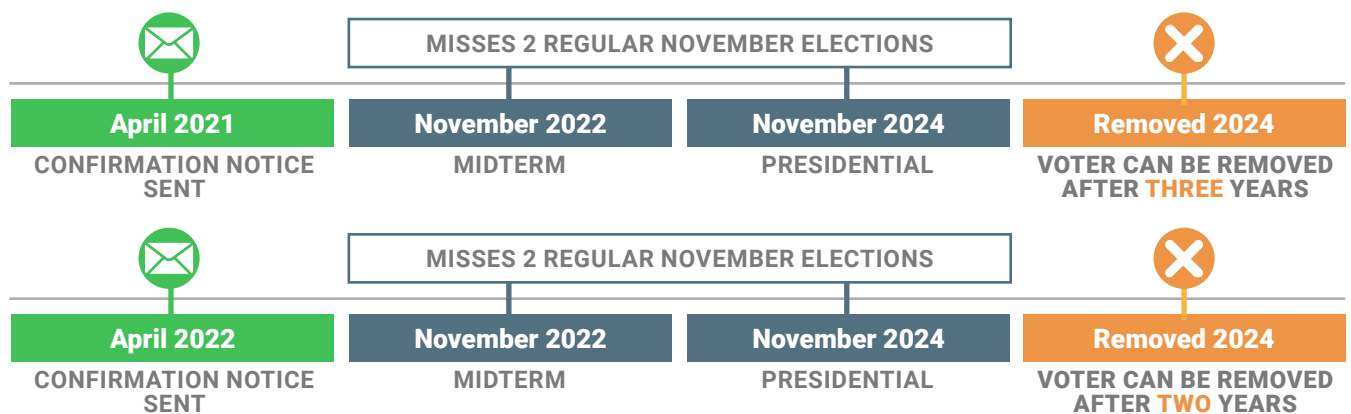


You do not vote or engage with your County Election Commission by the second regular November election

You will be removed from the voter roll.

AFTER EITHER TWO OR THREE YEARS, VOTERS WHO DO NOT RESPOND TO CONFIRMATION NOTICES OR VOTE MAY BE REMOVED

A voter who misses two November elections can be removed from the roll after **two** or **three** years, depending on when the confirmation notice is sent.^{xii} Election officials may take longer to process removals, but by law at least two November elections must pass.



Voters cannot be removed from the rolls within 90 days of an August election.^{xiii} Once removed from the rolls, a voter must re-register before voting again.



ENSURING BALLOTS ARE CAST AND COUNTED ACCURATELY

ELECTION OFFICIALS TEST AND SECURE VOTING MACHINES

Each county follows a multi-step process to test and secure voting machines before elections that includes bipartisan machine technicians and public, pre-election machine testing.

County Election Commissions hire at least one **voting machine technician** from each political party to prepare and maintain voting machines for elections.



Voting machines are **publicly inspected** to show that they do not contain any votes before an election begins.



County Election Commissions perform “**logic and accuracy**” tests, *i.e.*, dress rehearsals, on all, or a sample, of machines to ensure they are performing accurately.

Machines are kept **locked and secured** with multiple levels of verification to prevent access to them.



VOTER-VERIFIABLE PAPER AUDIT TRAIL (VVPAT) PROVIDE “PAPER BACKUPS”

All voting machines in Tennessee must now provide a voter-verifiable paper audit trail (VVPAT).^{xiv} VVPATs provide an additional level of verification and security. During election audits, the paper ballots provide a “backup” that can be matched with the totals provided by machines.

POST-ELECTION AUDITS ADD ANOTHER LAYER OF VERIFICATION

Election audits help ensure voting machines operate correctly and votes are counted accurately. Starting in 2024, Tennessee will implement a new post-election audit process.^{xv}

At least **three counties in August** and **six counties in November** will be randomly selected to perform a specific type of election audit.^{xvi}



All other counties will also be required to perform audits of the top race on the ballot in November and the highest county office race in August.^{xvii}



In an audit, selected ballots and machines are rescanned and compared to the reported numbers. If there is a variance of more than 1% in the results, the audit is expanded to additional voting precincts.



ABSENTEE BALLOTS ARE REVIEWED AT MULTIPLE STAGES

ELECTION OFFICIALS VERIFY ABSENTEE APPLICATIONS

County Election Commissions accept or reject requests to vote absentee.



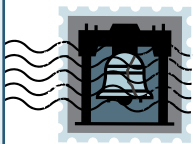
Application Accepted:

If the signature matches the voter's registration record and all the necessary information is provided.



Application Rejected:

If the signature does not match, information is missing, or if the voter is deemed to be ineligible to vote absentee.



ELECTION OFFICIALS REVIEW ABSENTEE BALLOT ENVELOPES

When election officials receive absentee ballots in the mail, they again review the voter's signature on the affidavit attached to the envelope to verify that it matches with the signature on record.



Ballot Accepted:

Accepted ballots are secured in a ballot box until the close of polls on Election Day.



Ballot Rejected:

If a signature does not match, or election officials determine the ballot is ineligible for any reason, it is rejected. They must immediately notify the voter that the ballot has been rejected.

A "COUNTING BOARD" REVIEWS AND COUNTS ABSENTEE BALLOTS

After the polls close on Election Day, an appointed absentee ballot counting board reviews absentee ballots, and again they can be either accepted and counted or rejected.^{xviii}

Final Review:

The counting board reviews the absentee ballot envelope again and determines whether it is accepted or rejected. Rejected ballots are marked "rejected" (with the reason why) and placed aside. Election officials must notify the voter that their ballot was rejected.^{xix}



Casting Absentee Ballots:

The counting board then opens the accepted absentee ballots, ensures that each ballot includes the required watermark, and then counts the ballot.^{xx}

References

- i. Election officials may reach out to applicants if there is information missing from an application or otherwise try to correct any deficiencies before rejecting applications.
- ii. The other three sections on the voter registration form include (1) personal information (such as name, address, date of birth, and social security number), (2) the last address where you were registered to vote (if applicable), and (3) the voter declaration affirming your statements are true.
- iii. If you answer yes, the Tennessee voter registration application also asks you to provide the crime(s), month and year, and place of conviction “if known.”
- iv. Tenn. Code Ann. § 2-2-106(a).
- v. Voters should only be removed if requirements are met through the state’s uniform voter list maintenance program. Federal law prohibits removal of a registered voter simply for failure to vote. National Voter Registration Act (NVRA) of 1993, 52 U.S. Code § 20507(b)(2).
- vi. Tenn. Code Ann. § 2-2-106(b). Address verification programs must meet requirements of NVRA, 52 U.S.C. §§ 20501-07.
- vii. Tenn. Code Ann. § 2-2-106(c).
- viii. Tenn. Code Ann. § 2-2-106(c)(2).
- ix. An inactive voter could also verify their address by engaging their county election commission (e.g., by updating their voter registration).
- x. Tenn. Code Ann. § 2-2-106(c)(1).
- xi. When you appear at your polling place, you make a written affirmation of your address in the county and can vote. Tenn. Code Ann. § 2-2-106(d)(4). If your new address puts you in a different polling place and you are voting on Election Day, you will have to go to the appropriate polling place based on your new address.
- xii. If you do not respond to a confirmation notice and do not vote or otherwise engage with your county election commission for two regular November elections, you will be removed from the voter roll. Depending on when you are sent the confirmation notice, this could be two years (if notice was sent in an even year) or three (if notice was sent in an odd year).
- xiii. Tenn. Code Ann. § 2-2-132. Also, address verification must be completed at least 90 days before a federal election. Tenn. Code Ann. § 2-2-106(b).
- xiv. The Tennessee legislature passed a law in 2022 (Public Chapter 1144) requiring all counties to use machines with a VVPAT starting in 2024. Previously, many counties used Direct Recording Electronic (DRE) machines with no paper backup component.
- xv. Tenn. Code Ann. § 2-20-103(a). The secretary of state will select county election commissions to conduct an audit starting with the first election in 2024.
- xvi. The audits will be a traditional tabulation (a bipartisan team of election officials hand count a number of randomly chosen ballots), risk-limiting (a random sample of ballots is chosen by statistical methods), or performance audit (a review of the procedures followed to conduct the election). Tenn. Code Ann. §§ 2-20-103(a) (audit information), 2-20-101(b) (definitions).
- xvii. Tenn. Code Ann. § 2-20-103(b).
- xviii. If there are fewer than 100 absentee ballots, the county election commission may serve as the board. Tenn. Code Ann. § 2-6-302.
- xix. Election officials must immediately notify the voter in writing. Tenn. Code Ann. § 2-6-204(b).
- xx. Tenn. Code Ann. § 2-5-207(b)(2).

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