



March 18, 2023

SUMMARY OF BILL: Requires the State Coordinator of Elections to maintain a list of suspended voter registrations. Authorizes a person who has been convicted of an infamous crime to have their voting rights automatically reactivated after their sentence has been served and the administrator of elections in the county confirms their full rights of citizenship have been restored. Requires the Coordinator of Elections to devise and furnish a form to be used by the Department of Correction (DOC) to notify the county election commissions that an individual is eligible for automatic restoration of voting rights. Deletes the provisions from code that render any person permanently ineligible to vote.

FISCAL IMPACT:

Increase State Expenditures – \$65,600/FY23-24 and Subsequent Years

Increase Local Expenditures – \$192,400/FY23-24*

Assumptions:

- Tennessee Code Annotated § 40-29-105 currently states that a person who is convicted of certain crimes may never be eligible to vote, and that a person convicted of an infamous crime must petition for restoration of their voting rights upon the expiration of the maximum sentence imposed by the court for the infamous crime.
- Pursuant to Tenn. Code Ann. § 40-29-202, a person is prohibited from eligibility to apply for a voter registration card unless the person has paid all restitution to victims of the offense, all court costs assessed against the person for a trial if the applicant is not indigent, and all child support obligations.
- The proposed legislation renders a person automatically eligible for restoration of their voting rights upon release from custody, regardless of any debts owed.
- It is assumed that there will be no significant change in the amount of debts collected as a result of this proposed legislation.
- Tennessee Code Annotated § 2-2-106(a)(4) currently states that a voter's registration must be purged upon receiving information that the person has been convicted of a felony from the Coordinator of Elections, District Attorney General, US Attorney, or clerk that entered the conviction. The proposed legislation will remove this requirement from code.
- As a result of the proposed legislation, the Coordinator of Elections will be required to hire one additional coordinator position, which will result in a recurring increase in state

expenditures of \$65,639 (\$50,004 salary + \$15,635 benefits) in FY23-24 and subsequent years.

- Based on information provided by the Administrative Office of the Courts, the proposed legislation will not result in a significant increase in caseloads for the state and local courts. Therefore, any increase in expenditures can be absorbed within existing resources.
- The possible increase in communications between the DOC and county election commissions can be handled within existing DOC resources.
- The proposed legislation will require additional county administrator of election staff time to verify with the Secretary of State that persons are eligible to vote.
- Larger cities may require part-time personnel or require current personnel to work additional hours to comply with the provisions of the proposed legislation.
- The mandatory one-time increase in local expenditures for personnel statewide is estimated to be \$192,420.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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