

HOUSE BILL 69

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 2;
Title 4; Title 38; Title 39; Title 41 and Title 55,
relative to determining voter eligibility.

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

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 2, is amended by creating the following as a new part:

Part 4. Verification of Voter Eligibility

2-2-401. Verification of eligibility to vote based upon United States citizenship.

(a) The coordinator of elections, in collaboration with the department of safety, shall, prior to January 1, 2028, create a secure, electronic portal through which each county administrator of elections may access information to verify, prior to processing an applicant's application to register to vote, whether the applicant is a non-United States citizen based upon records on file.

(b) In carrying out subsection (a), the coordinator of elections and department:

(1) Shall identify the parameters of information of an applicant to register to vote that may be submitted and received through the portal by an administrator;

(2) Shall ensure that, upon submission of such information by an administrator, the administrator receives accurate and current information regarding the citizenship status of the applicant on file with the department without undue delay;

(3) Shall ensure that the portal has the capacity to respond to a high volume of daily submissions of applicant information by administrators across this state as specified by the coordinator of elections; and

(4) May develop a temporary alternative method for the verification of citizenship by an administrator in the event that the portal is offline, inaccessible, malfunctioning, or undergoing maintenance.

(c) If a county administrator rejects an application based upon information received pursuant to this section, the administrator shall provide written notice to the applicant of the applicant's right to appeal the decision in accordance with § 2-2-125.

2-2-402. Verification of eligibility to vote based upon felony conviction.

(a) The coordinator of elections, in collaboration with the Tennessee bureau of investigation (TBI), shall, prior to January 1, 2028, create a secure, electronic portal through which each county administrator of elections may access information to verify, prior to processing an applicant's application to register to vote, whether the applicant is ineligible to vote based upon records on file as the result of a felony conviction, or alternatively, whether an applicant who has been convicted of a felony is eligible to vote as the result of expunction.

(b) In carrying out subsection (a), the coordinator of elections and TBI:

(1) Shall identify the parameters of information of an applicant to register to vote that may be submitted and received through the portal by an administrator;

(2) Shall ensure that, upon submission of such information by an administrator, the administrator receives accurate and current information regarding the eligibility status of the applicant without undue delay;

(3) Shall ensure that the portal has the capacity to respond to a high volume of daily submissions of applicant information by administrators across this state as specified by the coordinator of elections; and

(4) May develop a temporary alternative method for the verification of eligibility by an administrator in the event that the portal is offline, inaccessible, malfunctioning, or undergoing maintenance.

(c) If a county administrator rejects an application based upon information received pursuant to this section, the administrator shall provide written notice to the applicant of the applicant's right to appeal the decision in accordance with § 2-2-125.

2-2-403. Severability.

If a provision of this part or its application to a person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the part that can be given effect without the invalid provision or application, and to that end, the provisions of this part are severable.

SECTION 2. Tennessee Code Annotated, Section 2-2-125, is amended by deleting subsection (b) and substituting instead the following:

(b) The administrator shall provide written notice to the registrant that the registrant has a right to appeal the decision to the commission within ten (10) days from the date the notice was sent. The administrator shall include with such notice an appeal form.

SECTION 3. Tennessee Code Annotated, Section 2-7-112(c)(1), is amended by adding the language "that is not a temporary driver license" immediately after the language "Tennessee driver license".

SECTION 4. Tennessee Code Annotated, Section 55-50-303(a)(9), is amended by deleting the following language:

To any person who is not a United States citizen or lawful permanent resident of the United States.

and substituting instead the following:

To any person who is not a United States citizen.

SECTION 5. Tennessee Code Annotated, Section 55-50-321(c)(1)(C), is amended by deleting the subdivision and substituting instead the following:

(C) Any applicant applying for a driver license, instruction permit, intermediate driver license, or photo identification license, upon initial issuance or reinstatement, shall provide either an original or certified copy of documentation that the applicant is a citizen of the United States.

SECTION 6. Tennessee Code Annotated, Section 55-50-321(i)(1), is amended by deleting the subdivision and substituting instead the following:

(1) Any person presenting a driver license from a state that issues driver licenses to illegal aliens for the purposes of obtaining a Tennessee driver license is required to establish proof of United States citizenship, or, in the case of a temporary driver license, either lawful permanent resident status or a specified period of authorized stay in the United States.

SECTION 7. Tennessee Code Annotated, Section 55-50-331(g), is amended by deleting the subsection and substituting instead the following:

(1) Notwithstanding another law to the contrary, the department may issue a temporary driver license, temporary intermediate driver license, temporary photo identification license, or temporary learner permit to lawful permanent residents of the United States or to persons whose presence in the United States has been authorized by the federal government for a specific purpose and for a specified period of authorized stay.

(2) The temporary driver license or photo identification license is valid only during the period of time of the applicant's authorized stay in the United States or the valid period of the applicant's lawful permanent resident card; provided, however, that a temporary license or photo identification license must not be issued for a period longer than eight (8) years.

(3) A temporary driver license, temporary photo identification license, or temporary permit must include a visually distinctive font or color for the class designation on the face of the license to distinguish the temporary license from the license issued to United States citizens under § 55-50-303(a)(9) that are used as a photo identification for voting purposes.

(4) A lawful permanent resident who renews or reinstates a driver license, permit, or photo identification license on or after January 1, 2026, must provide proof of United States citizenship to maintain the driver license, permit, or photo identification license. If such proof of citizenship is not provided, then the person must be issued a temporary driver license, temporary permit, or temporary photo identification license pursuant to this section.

(5) A person who becomes a United States citizen may provide proof of such citizenship to the department at any time to receive a license under § 55-50-303(a)(9).

SECTION 8. Tennessee Code Annotated, Section 55-50-102(56), is amended by adding the language "except for an individual who is a lawful permanent resident," immediately before the language "if there is no definite end".

SECTION 9. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 10. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 11. Sections 1, 2, and 9 of this act take effect upon becoming a law, the public welfare requiring it. For purposes of promulgating rules and forms and redesigning licenses and permits, if applicable, all remaining sections of this act take effect upon becoming a law, the public welfare requiring it. For all other purposes, all remaining sections of this act take effect January 1, 2026, the public welfare requiring it.