

HOUSE BILL 386

By Dunn

AN ACT to amend Tennessee Code Annotated, Title 2,  
Chapter 1108 of the Public Acts of 2008 and  
Chapter 612 of the Public Acts of 2010, relative to  
the Tennessee Voter Confidence Act.

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

SECTION 1. Section 6 of Chapter 1108 of the Public Acts of 2008, as amended by Chapter 612 of the Public Acts of 2010, is further amended by deleting the second sentence in its entirety and by deleting the period at the end of the last sentence and adding the following language:

and only if the general assembly includes a specific recurring appropriation in the 2011 general appropriations act for the 2011-2012 fiscal year in such amount necessary to provide fully for all increased costs for counties, as determined by the secretary of state, directly attributable to the Tennessee Voter Confidence Act.

SECTION 2. Tennessee Code Annotated, Section 2-20-101(a), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(a) Notwithstanding any other state law to the contrary and consistent with federal law and subsection (b)(1), if the general assembly includes a specific recurring appropriation in the 2011 general appropriations act for the 2011-2012 fiscal year, new voting systems purchased or leased shall be a system using precinct-based optical scanners. The appropriation shall be in such amount necessary to provide fully for all increased costs for counties, as determined by the secretary of state, directly attributable to this part.

SECTION 3. Tennessee Code Annotated, Section 2-20-101(b)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(b)(1)

(A) Subject to subdivision (B), each county shall use a precinct-based optical scanner voting system following the passage of a specific recurring appropriation by the general assembly in the 2011 general appropriations act for the 2011-2012 fiscal year, and thereafter, in such amount necessary to provide fully for all increased costs for counties, as determined by the secretary of state, directly attributable to this part.

(B) The requirement of subdivision (A), relative to the use of a precinct-based optical scanner voting system, shall apply to the first regularly scheduled general election, and thereafter, that will be held more than six (6) months following the 2011-2012 fiscal year.

SECTION 4. Tennessee Code Annotated, Title 2, Chapter 20, Part 1, is amended by adding the following language as a new, appropriately designated section:

2-20-1\_\_\_. Notwithstanding any other law to the contrary, this part shall not be operative or implemented unless and until the general assembly includes a specific recurring appropriation in the 2011 general appropriations act for the 2011-2012 fiscal year in such amount necessary to provide fully for all increased costs for counties, as determined by the secretary of state, directly attributable to the Tennessee Voter Confidence Act compiled in this part and other sections of title 2.

SECTION 5. Tennessee Code Annotated, Section 2-20-104(a)(1), is amended by deleting the date "on or after August 1, 2011:" and by substituting instead the language "on or after the requirements of § 2-20-101(a) become effective:".

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.