

HOUSE BILL 1045

By Keisling

AN ACT to amend Tennessee Code Annotated, Title 2,
relative to political party registration.

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

SECTION 1. Tennessee Code Annotated, Section 2-2-116, is amended by adding the following as new language on the permanent registration record when a person registers to vote:

Statewide Political Party Affiliation _____

SECTION 2. Tennessee Code Annotated, Section 2-2-118, is amended by adding the following new subsections:

(e) At the time of initial registration, each qualified voter may select on the registration application an affiliation with a statewide political party qualified to participate in elections, or may select to be designated as "Unaffiliated." The county election commission shall record the party affiliation or unaffiliated designation as part of the voter's permanent registration record. If a voter fails or refuses to make a selection, the county election commission shall enter on the permanent registration records that the voter is unaffiliated.

(f) In order to provide a voter who is already registered to vote and who remains a registered voter with an opportunity to select a party affiliation or to select an unaffiliated status, the voter shall make such a declaration to be recorded on the voter's permanent registration record at either the first primary in which the voter participates or the county election commission office during the registration periods specified under § 2-2-109.

(g) On July 1, 2024, each county election commission shall designate each registered voter who has not selected a party affiliation or selected to be designated as unaffiliated and enter on the voter's permanent registration records that the voter is unaffiliated.

SECTION 3. Tennessee Code Annotated, Section 2-2-109(a), is amended by deleting the first sentence and substituting instead the following:

A qualified voter may register or have the voter's registration altered at the commission office at any time the office is open, except that applications for registration or alterations to political party affiliations must not be processed for twenty-nine (29) days before an election, except as provided in subsection (b); provided, that a qualified voter may file a mail registration form by postmarking the registration form or submitting the registration form thirty (30) days before an election.

SECTION 4. Tennessee Code Annotated, Section 2-7-115, is amended by deleting subsection (b) and substituting instead the following:

(b) A registered voter is entitled to vote in a partisan primary election for offices for which the voter is qualified to vote at the polling place where the voter is registered if:

(1) The voter is a bona fide member of, and is recorded on the voter's permanent registration record as being affiliated with, the political party in whose primary the voter seeks to vote;

(2) The voter was registered prior to July 1, 2023, and the primary election is the first primary election in which the voter seeks to vote following such date, and the voter declares allegiance to that political party. The party affiliation declared by the voter shall then be added to the voter's permanent registration record; or

(3) The political party in whose primary the voter seeks to vote has authorized such participation pursuant to SECTION 5.

SECTION 5. Tennessee Code Annotated, Section 2-13-203, is amended by adding the following as a new subsection:

(g)

(1) Notwithstanding this title or another law to the contrary, a person shall not vote in a political party's primary election unless the person is registered as a member of that political party on the voter's permanent registration record.

(2) Notwithstanding subdivision (g)(1), a political party, in its call for election, may allow for participation in the party's primary elections by a person who is an unaffiliated voter according to the voter's permanent registration record.

SECTION 6. This act takes effect July 1, 2023, the public welfare requiring it.