

SENATE BILL 375

By Bell

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 7, Part 1, relative to requiring photo identification for voters.

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

SECTION 1. Tennessee Code Annotated, Section 2-7-112(a)(1), is amended by inserting the following language to immediately follow the first sentence of the subdivision:

In addition, the voter shall present to the registrar one (1) form of identification that bears the name, address and photograph of the voter.

SECTION 2. Tennessee Code Annotated, Section 2-7-112, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) For purposes of comparing the person's signature on the application for ballot, "evidence of identification" means:

(1) A Tennessee driver license;

(2) A valid identification card issued by a branch, department, agency or entity of the state of Tennessee, any other state or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the voter;

(3) A valid identification card issued pursuant to § 55-50-336;

(4) A valid United States passport;

(5) A valid employee identification card issued by a branch, department, agency or entity of the state of Tennessee, any other state or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the voter; or

(6) A valid United States military identification card, provided that such identification card contains a photograph of the voter.

SECTION 3. Tennessee Code Annotated, Section 2-7-112, is further amended by adding new subsections thereto, as follows:

(e) If a voter is unable to present any evidence of identification specified in subsection (c), the voter shall be entitled to vote a provisional ballot under the procedures of this section. Such provisional ballot shall only be counted if the central provisional ballot counting board is able to verify current and valid identification of the voter as provided in subsection (c) and the voter has met all the requirements of provisional ballots as provided in subdivision (a)(3).

(f)

(1) If a voter does not have any of the identification described in subsection (c) and is unable to afford a valid identification card issued pursuant to § 55-50-336, such identification card shall be issued to the voter upon the voter's signing a pauper's oath.

(2) At the time a person files an application with the department of safety to obtain such card for the purposes described in subsection (a), the applicant shall file an accompanying affidavit of indigency in order to have any fees waived for such identification card.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act, which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.