

SENATE BILL 1043

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 5, Part 2, relative to presidential candidates.

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

SECTION 1. Tennessee Code Annotated, Section 2-5-204, is amended by adding the following as a new subsection:

(f)

(1) The national political party committee for a candidate for president of the United States for a party that is entitled to continued representation on the ballot, or any individuals known as an independent candidate under § 2-5-203 for president of the United States that is entitled to representation on the ballot, shall provide to the secretary of state written notice containing the full names of the nominees who are to be candidates for president and vice president of the United States.

(2) Within fourteen (14) calendar days after submittal of the names of the candidates to the secretary of state, each candidate for president of the United States shall submit an affidavit that states the candidate's citizenship and age and shall append to the affidavit documents that prove that the candidate is a natural born citizen, prove the candidate's age and prove that the candidate meets the residency requirements for president of the United States as prescribed in Article II, Section 1, of the Constitution of the United States.

(3)

(A) The affidavit prescribed in subdivision (f)(2) shall include references to and attachment of all of the following, which shall be sworn to under penalty of perjury:

(i) An original long form birth certificate that includes: the date and place of birth, the name of the hospital, the name of the attending physician, the full names of both parents, the signatures of the witnesses in attendance, and the official raised seal from the state issuing the birth certificate;

(ii) A sworn statement attesting that the candidate has not held dual or multiple citizenship and that the candidate's allegiance is solely to the United States; and

(iii) A sworn statement or form that lists and identifies the candidate's places of residence in the United States for the preceding fourteen (14) years; and

(B) If a candidate for president of the United States fails to submit and swear to the documents prescribed in subdivision (f)(3)(A), or if the secretary of state finds the required attached documents to be unofficial copies or counterfeit, or the secretary of state finds the candidate not qualified according to Article II, Section 1 of the Constitution of the United States, then the secretary of state shall not place that presidential candidate's name on the ballot in this state.

(4) Once the secretary of state has determined that a candidate for president of the United States is qualified in accordance with this section and will be placed on the presidential ballot in this state, the secretary of state shall then make public the candidate's affidavit and appended documents, to include the

requirements of candidate's long form birth certificate. The secretary of state shall accomplish this subdivision (f)(4) no later than seven (7) calendar days after the secretary has determined a candidate is qualified to be on the presidential ballot in this state.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.