

SENATE BILL 2187

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 2,
relative to voter registration through the
department of safety.

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

SECTION 1. Tennessee Code Annotated, Section 2-2-201, is amended by deleting the section and by substituting instead the following:

(a) In addition to any other voter registration procedure provided for by law, the department of safety and each county election commission shall register voters in accordance with this section.

(b) The department of safety shall obtain, as part of any application for the issuance or renewal of a driver license or photo identification license, the information required to register a voter in this state. An application must include:

(1) A box to permit the applicant to decline to register to vote that includes the statement "IF YOU DO NOT CHECK THIS BOX, AND IT IS DETERMINED THAT YOU ARE ELIGIBLE TO VOTE, YOU WILL BE REGISTERED TO VOTE USING THE INFORMATION PROVIDED IN THIS APPLICATION.";

(2) A statement specifying each eligibility requirement for voting in this state as specified in § 2-2-102; and

(3) An attestation to permit the applicant, under penalty of perjury, and by the applicant's signature, to indicate whether the applicant meets the eligibility requirements for voting in this state.

(c) The department of safety shall provide to the appropriate county election commission a copy of the application of each applicant who does not check the box to indicate that the applicant declines to register to vote and who signs the attestation on the application indicating that the applicant meets the eligibility requirements for voting in this state. Applications provided by the department of safety under this subsection (c) may be submitted to a county election commission electronically.

(d) Upon receipt of an application as provided under subsection (c), a county election commission shall provide notice to the applicant by certified mail, return receipt requested, that the county election commission will register the applicant to vote unless the applicant notifies the county election commission within twenty-one (21) days after receiving such notice that the applicant declines to be registered to vote. A county election commission shall include in each notice issued under this subsection (d):

- (1) The phone number and physical address of the commission's office;
- (2) The electronic mailing address of the administrator of elections for the commission;
- (3) The website of the commission, if available; and
- (4) A description of each method by which an applicant may notify the commission of the applicant's intent to decline registration.

(e) If an applicant properly noticed under subsection (d) does not decline registration within twenty-one (21) days of receiving notice, the administrator of elections for the county election commission shall register the person to vote.

(f) The application of an applicant who is registered to vote under subsection (e) must be processed as an in-person voter registration.

(g) A county election commission shall not use any information of an applicant who declines to be registered to vote for any purpose other than for an official purpose of the commission.

(h) The department of safety shall provide any change of residential address form with respect to a driver license or photo identification license to the appropriate county election commission in the manner set forth under subsection (c). The provision of the form to a county election commission serves as notification of a change in residential address for purposes of voter registration.

(i) The motor vehicle driver license or photo identification license application and change of residential address forms used in this state are subject to approval by the secretary of state for purposes of voter registration under this section.

(j) The department of safety shall transmit an application or change of residential address form in accordance with this section to the appropriate county election commission not later than ten (10) days after the date of acceptance; provided, that if the application or form is accepted within five (5) days of the last day for registration to vote in an election, the department shall transmit the application or form to the appropriate county election commission not later than five (5) days after the date of acceptance.

SECTION 2. This act shall take effect upon becoming a law, for purposes of carrying out any administrative duties necessary to implement the provisions of this act, the public welfare requiring it. This act shall take effect on January 1, 2019, for all other purposes, the public welfare requiring it.