

**CHAPTER NO. 965**

**SENATE BILL NO. 407**

**By Haynes, Kyle, McLeary, Burks, Kilby, Herron, Jackson, Kurita, Cohen**

**Substituted for: House Bill No. 1114**

**By McMillan, Maddox**

AN ACT to amend Tennessee Code Annotated, Title 2, relative to elections.

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

SECTION 1. Tennessee Code Annotated, Section 2-8-113(a), is amended by deleting from the second sentence the words and punctuation "five percent (5%) of the total number of votes cast in the primary on the day of the election" and by substituting instead the words and punctuation "five percent (5%) of the total number of registered voters of the district".

SECTION 2. Tennessee Code Annotated, Section 2-8-113(c), is amended by deleting the words and punctuation "twenty (20)" and by substituting instead the words and punctuation "fifty (50)".

SECTION 3. Tennessee Code Annotated, Section 2-13-204, is amended by adding the following as a new subsection thereto:

(d) If a candidate for general assembly is elected to a local public office where the charter or law governing such local election prohibits such person from holding a state office and a local office simultaneously, then such candidate shall have such candidate's name removed from the ballot as a candidate for election to the general assembly, if such candidate files a written request with the county election commission requesting such candidate's name be removed at least fifty (50) calendar days prior to such election for the general assembly. Nomination for a new candidate may be made by the former candidate's party by any method of nomination authorized by § 2-13-203.

SECTION 4. Tennessee Code Annotated, Section 2-2-133, is amended by designating subsection (a) as subdivision (a)(1) and designating subsection (b) as subdivision (a)(2) and adding the following as new subsections thereto:

(b) The coordinator of elections shall also obtain information regarding Tennessee residents eighteen (18) years of age or over identified as deceased by the federal Social Security Administration death master file annually. The coordinator of elections shall, after obtaining such information, notify each county election commission of all persons of voting age who are listed as deceased with an address in their county.

(c) The county election commission shall cancel the registration of each deceased person listed under the reports in subsection (a) or (b) in accordance with the provisions of this chapter.

SECTION 5. Section 2 of this act shall take effect January 1, 2007, the public welfare requiring it, and all other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 27, 2006, 2006**



JOHN S. WILDER  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 27<sup>th</sup> day of June 2006**



PHIL BREDESEN, GOVERNOR