



State of Tennessee
PUBLIC CHAPTER NO. 235

SENATE BILL NO. 352

By Norris

Substituted for: House Bill No. 324

By Todd, Watson, Evans, Hawk, Powers, Ryan Williams, Wirgau, Butt, Eldridge, Maggart, McManus, Elam, White, Faison, Ragan, Haynes, Rich, Curtis Johnson, Alexander, Swann, Hall, Don Miller, Gotto, Hurley

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 2, Part 1, relative to proof of citizenship for registering to vote.

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

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 2, Part 1, is amended by adding the following language as a new, appropriately designated section:

2-2-1___.

(a) The coordinator of elections shall compare the statewide voter registration database with the Department of Safety database to ensure non-United States citizens are not registered to vote in this state. The coordinator of elections is authorized to compare the statewide voter registration database with relevant federal and state agencies and county records for the same purpose. If evidence exists that a particular registered voter is not a citizen of the United States, the coordinator of elections shall notify the county election commission where the person registered to vote that the registered voter may not be a citizen of the United States.

(b) After receiving such notice, the county election commission shall send a notice to the registered voter inquiring whether the individual is eligible to be registered to vote. Any registered voter who receives the notice shall, within thirty (30) days of the receipt of such notice, provide proof of citizenship to the county election commission. For purposes of this subsection, proof of citizenship includes:

(1) The voter's birth certificate or a legible photocopy of the birth certificate;

(2) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the voter and showing the passport number;

(3) The voter's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the voter's certificate of naturalization; except that any person who provides the number of the certificate of naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the coordinator of elections verifies the number with the United States Citizenship and Immigration Services in the Department of Homeland Security or its successor; or

(4) Any document or method of proof of citizenship established by the federal Immigration Reform and Control Act of 1986, Pub.L 99-603, as amended.

(c) If the registered voter does not provide proof of citizenship within thirty (30) days of the receipt of the notification, the administrator of elections of the county where the person registered to vote shall purge the voter from the voter registration database.

(d) In the event a person is unable to provide any documentation included in subsection (b) to show proof of citizenship, the person may appeal to the State

Election Commission and submit additional proof of citizenship in person or in writing. The State Election Commission shall conduct a hearing and make a finding concerning the individual's citizenship status and shall forward a copy of its decision to the administrator of elections of the county where the person resides. The voter registration database shall be changed by the administrator of elections to accurately reflect the decision of the State Election Commission with respect to such voter.

(e) All documentation provided to show proof of citizenship as well as the Department of Safety database or relevant federal and state agency and county records shall be confidential and shall not be available for inspection by the public.

SECTION 2. This act shall take effect January 1, 2012, the public welfare requiring it.

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PASSED: May 11, 2011

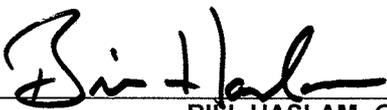


RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 23rd day of May 2011



BILL HASLAM, GOVERNOR