

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-101

§ 2-10-101. Short title

Effective: July 10, 2014

Currentness

(a) This part shall be known and may be cited as the “Campaign Financial Disclosure Act of 1980.”

(b) This part does not apply to any candidate for public office for which the service is part time and for which the compensation is less than one thousand dollars (\$1,000) per month; provided, that this exemption shall not be applicable to any such candidate for a public office as a chief administrative officer or to any such candidate whose expenditures exceed one thousand dollars (\$1,000).

(c) Any charter provisions of municipalities regarding campaign financial disclosures of candidates for public office apply to candidates for public office, except to the extent that such provisions are in conflict with this part.

(d) The registry of election finance shall have the jurisdiction to administer and enforce the provisions of this part concerning campaign financial disclosure.

(e) Nothing in this part shall be construed as prohibiting the largest municipality located within any county having a population of not less than three hundred thirty-five thousand (335,000) nor more than three hundred thirty-six thousand (336,000), according to the 1990 federal census or any subsequent federal census, from enacting, by ordinance or charter amendment, more stringent financial disclosures of candidates for municipal local public office than those requirements imposed by this part. A municipality adopting more stringent requirements pursuant to this chapter shall compensate the county for any additional expenses incurred by the county election commission as a result of adopting more stringent requirements.

#### **Credits**

1980 Pub.Acts, c. 861, § 2; 1982 Pub.Acts, c. 689, § 11; 1984 Pub.Acts, c. 683, §§ 1, 7; 1989 Pub.Acts, c. 585, § 9; 1997 Pub.Acts, c. 558, § 23; 2000 Pub.Acts, c. 782, § 1, eff. May 22, 2000; 2013 Pub.Acts, c. 231, § 10, eff. July 1, 2013.

T. C. A. § 2-10-101, TN ST § 2-10-101

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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T. C. A. § 2-10-102

§ 2-10-102. Definitions

Effective: May 9, 2017

Currentness

As used in this chapter, unless the context otherwise requires:

(1) “Affiliated political campaign committees” means political campaign committees established, financed, maintained, or controlled by any corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit of such corporation, labor organization, or any other person, or by any group of such persons;

(A) All committees established, financed, maintained or controlled by a single corporation and/or its subsidiaries shall be affiliated political campaign committees;

(B) All committees established, financed, maintained or controlled by a single national or international union and/or its local unions or other subordinate organizations shall be affiliated political campaign committees;

(C) All committees established, financed, maintained or controlled by an organization of national or international unions and/or all its state and the local central bodies shall be affiliated political campaign committees, but such committees shall not be affiliated with the political campaign committees established, financed, maintained or controlled by any union that is a member of the organization;

(D) All committees established, financed, maintained or controlled by a membership organization, other than political party committees, including trade or professional associations and/or related state and local entities of that organization or group shall be affiliated political campaign committees;

(E) All committees established, financed, maintained or controlled by the same person or group of persons shall be affiliated political campaign committees;

(F) Owners, officers, employees, members or other individuals associated with any corporation, labor organization, membership organization, or any other person or group of persons that has established, financed, maintained or controlled a political campaign committee shall not be considered affiliated with such political campaign committee;

(2) “Attorney general and reporter” means the attorney general and reporter of Tennessee;

(3) “Candidate” means an individual who has made a formal announcement of candidacy or who is qualified under the law of this state to seek nomination for election or elections to public office, or has received contributions or made expenditures except for incidental expenditures to determine if one shall be a candidate, or has given consent for a campaign committee to receive contributions or make expenditures with a view to bringing about the individual's nomination for election or election to state public office;

(4) “Contribution” means any advance, conveyance, deposit, distribution, transfer of funds, loan, loan guaranty, personal funds of a candidate, payment, digital currency, gift, or subscription of money or like thing of value, and any contract, agreement, promise or other obligation, whether or not legally enforceable, made for the purpose of influencing a measure or nomination for election or the election of any person for public office or for the purpose of defraying any expenses of an officeholder incurred in connection with the performance of the officeholder's duties, responsibilities, or constituent services. “Contribution” shall not be construed to include the following:

(A) Services, including expenses provided without compensation by a candidate or individuals volunteering a portion or all of their time, on behalf of a candidate or campaign committee;

(B) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless such facilities are owned wholly or in part, or controlled by any political party, political committee or candidate;

(C) Nonpartisan activity designed to encourage individuals to register to vote or to vote;

(D) Any written, oral or electronically transmitted communication by any membership organization or corporation to its members or stockholders, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any person to public office;

(E) The use of real or personal property and the cost of invitations, food and beverages not exceeding one hundred dollars (\$100), voluntarily provided on an individual's residential premises for candidate related activities; or

(F) For a county executive committee that has annual receipts and expenditures of less than ten thousand dollars (\$10,000), receipts and expenditures, including a reasonable amount for rent, by a state or county executive committee or primary board when performing the duties imposed upon them by law; provided, that such receipts and expenditures are segregated from and maintained in a fund separate and apart from any funds used by the party as a political campaign committee, it being the legislative intent that if no separate fund is maintained, all receipts and expenditures of the committee or board shall be subject to the disclosure provisions of this part;

(5) “Election” means any general, special or primary election or run-off election, held to approve or disapprove a measure or nominate or elect a candidate for public office;

(6)(A) “Expenditure” means a purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing a measure or the nomination for election or election of any person to public office;

(B) “Expenditure” also includes the use of campaign funds by an officeholder for the furtherance of the office of the officeholder;

(7) “File” or “filed” means the date actually deposited with or received by the appropriate office or the date of the postmark if postmarked and sent by registered or certified mail of the United States postal service;

(8) “Measure” means any proposal submitted to the people of the entire state, or any political subdivision of the state, for their approval or rejection at an election, including any proposed law, act or part of an act of the general assembly, or revision of or amendment to the constitution;

(9) “Multicandidate political campaign committee” means a political campaign committee to support or oppose two (2) or more candidates for public office or two (2) or more measures;

(10)(A) “Person” means an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons;

(B) Any limited liability company or limited liability partnership created under title 48 shall be considered a person for the purpose of this subdivision (10) and subdivision (1);

(11) “Personal funds” means:

(A) Any assets which the candidate had legal right of access to or control over at the time the candidate became a candidate and with respect to which the candidate had either:

(i) Legal and rightful title; or

(ii) An equitable interest;

(B) Salary and other earned income from bona fide employment;

(C) Dividends and proceeds from the sale of the candidate's stocks or other investments;

(D) Bequests to the candidate; income from trusts established before candidacy;

(E) Income from trusts established by bequest after candidacy of which the candidate is the beneficiary;

(F) Gifts of a personal nature which had been customarily received prior to candidacy; and

(G) That portion of assets jointly owned with the candidate's spouse which is the candidate's share under the instruments of conveyance or ownership. If no specific share is indicated by such instrument, the value of one-half ( ½ ) of the property used shall be considered as personal funds;

(12) “Political campaign committee” means:

(A) Any corporation or any other organization making expenditures, except as provided in subdivision (4), to support or oppose a measure; or

(B) Any committee, club, corporation, association, or other group of persons which receives contributions or makes expenditures to support or oppose any candidate for public office or measure during a calendar year in an aggregate amount exceeding one thousand dollars (\$1,000);

(13) “Public office” means any state public office or local public office filled by the voters;

(A) “Local public office” means any state, county, municipal, school or other district or precinct office or position, including general sessions and juvenile court judges, that is filled by the voters, with the exception that “local public office” does not include any state public office as defined in subdivision (13)(B); and

(B) “State public office” means the offices of governor, member of the general assembly, delegate to a Tennessee constitutional convention, trial judge, chancellor, district attorney general, district public defender, judge of the court of criminal appeals, judge of the court of appeals and supreme court judge; and

(14) “Secretary of state” means the secretary of state or the secretary of state's designee.

### **Credits**

1980 Pub.Acts, c. 861, § 3; 1982 Pub.Acts, c. 658, §§ 1 to 3; 1984 Pub.Acts, c. 683, §§ 5, 7; 1990 Pub.Acts, c. 1048, §§ 1 to 3; 1991 Pub.Acts, c. 519, §§ 1, 2; 1992 Pub.Acts, c. 988, § 8; 1995 Pub.Acts, c. 305, § 59, eff. July 1, 1996; 1995 Pub.Acts, c. 531, §§ 2, 3, eff. Jan. 1, 1996; 1996 Pub.Acts, c. 1005, § 1, eff. May 13, 1996; 1999 Pub.Acts, c. 455, § 33, eff. July 1, 1999; 2000 Pub.Acts, c. 756, § 12, eff. May 18, 2000; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 5, eff. Feb. 15, 2006; 2011 Pub.Acts, c. 389, § 1, eff. June 1, 2011; 2012 Pub.Acts, c. 789, §§ 1, 2, eff. April 23, 2012; 2015 Pub.Acts, c. 379, § 1, eff. April 30, 2015; 2017 Pub.Acts, c. 347, § 1, eff. May 9, 2017.

T. C. A. § 2-10-102, TN ST § 2-10-102

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T. C. A. § 2-10-103

§ 2-10-103. Election commissions' duties

Currentness

(a) It is the duty of each county election commission to:

- (1) Accept and file any information filed pursuant to the requirements of this part and information voluntarily supplied that exceeds the requirements of this part;
- (2) Make statements and other information filed with it available for public inspection and copying during regular office hours at reasonable expense;
- (3) Preserve such statements and other information for a period of five (5) years from date of receipt; and
- (4) Notify all candidates for local public office in a local election of the requirements for filing any statement required by this part seven (7) days before any deadline provided for herein.

(b) It is the duty of the state election commission to furnish the name and address of any candidate for statewide public office and the language of any measure submitted to the people of the entire state to the secretary of state and the registry of election finance.

**Credits**

1980 Pub.Acts, c. 861, § 4; 1984 Pub.Acts, c. 683, §§ 2, 7; 1989 Pub.Acts, c. 585, § 10.

T. C. A. § 2-10-103, TN ST § 2-10-103

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T. C. A. § 2-10-104

§ 2-10-104. Statements; affirmation or swearing to

Currentness

All statements required by this part shall be signed by the person filing such statement in the presence of one (1) witness who shall sign such statements as a witness. The treasurer shall not be authorized to sign as a witness. Such person shall sign the statements prior to the filing of the statements. Statements required by this part do not have to be sworn to or affirmed by a notary.

**Credits**

1980 Pub.Acts, c. 861, § 5; 2004 Pub.Acts, c. 594, § 1, eff. May 4, 2004.

T. C. A. § 2-10-104, TN ST § 2-10-104

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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Part 1. Financial Disclosure

T. C. A. § 2-10-105

§ 2-10-105. Statements of contributions and expenditures; filing; reports; records; political treasurer

Effective: January 1, 2024

Currentness

(a) Each candidate for state public office and political campaign committee in a state election shall file with the registry of election finance a statement of all contributions received and all expenditures made by or on behalf of such candidate or such committee. The statement of each candidate for state public office shall include the date of the receipt of each contribution, and the statement of a political campaign committee in a state election shall include the date of each expenditure that is a contribution to a candidate in any election. The statement of expenditures by a political campaign committee must consist of all amounts paid by the political campaign committee from received contributions.

(b)(1) Each candidate for local public office shall file with each county election commission of the county where the election is held a statement of all contributions received and all expenditures made by or on behalf of such candidate. The statement of each candidate for local public office shall include the date of the receipt of each contribution.

(2) Each political campaign committee for a local election or candidate shall file with the registry of election finance a statement of all contributions received and all expenditures made by or on behalf of the committee. The statement of each committee must be filed in the same manner and include the same information as a statement filed under subsection (a). The statement of expenditures by a political campaign committee must consist of all amounts paid by the political campaign committee from received contributions.

(c)(1) The statements required by subsections (a) and (b) of each candidate, each single candidate political campaign committee, single measure political campaign or multicandidate political campaign committee shall be filed quarterly during an election year, within ten (10) days following the conclusion of the quarterly reports ending March 31, June 30, September 30 and January 15. Such candidate and political campaign committees shall also be required to file a pre-primary statement and pre-general election statement. The pre-primary statement shall cover the period from the last day included in the July quarterly statement through the tenth day before the primary election. Such pre-primary statement is due seven (7) days before the primary election. The pre-general election statement shall cover the period from the last day included in the October quarterly statement through the tenth day before the general election. Such pre-general election statement is due seven (7) days before the general election.

(2) Statements for any runoff election, from the last day included in any prior report through the tenth day before any such election shall be filed not later than seven (7) days before the election.

(3) Any candidate or political campaign committee filing a statement pursuant to subsection (e) before January 16 of the year in which the candidate or committee expects to be involved in an election shall file reports with the registry of election finance or the county election commission, whichever is required by subsections (a) and (b), by January 31 and July 15 immediately

succeeding the filing, and semi-annually thereafter until the year of the election. If January 31 or July 15 falls on a Saturday, a Sunday, or a legal holiday, § 1-3-102 shall apply. The ending date of the January 31 reporting period is January 15. The ending date of the July 15 reporting period is June 30. A semiannual report is not required to be made if the reporting date is within sixty (60) days of a report otherwise required by this part.

(4) Each statement required by subsections (a) and (b) shall include transactions occurring since the preceding statement.

(d) Each multicandidate political campaign committee shall file reports according to subsection (c)(1). Each report shall include transactions occurring since the preceding report. Such reports shall be made available on the Internet as soon as practicable once such multicandidate political campaign committee has filed such information and the registry has reviewed such statements for accuracy and timeliness. If a multicandidate political campaign committee has not timely filed a quarterly report, then the registry shall post on the Internet that the multicandidate political campaign committee is delinquent.

(e)(1) Each candidate and each political campaign committee shall certify the name and address of the candidate's or committee's political treasurer to the registry of election finance or the county election commission, where appropriate, before the candidate or committee may receive a contribution or make an expenditure in a state or local election. A statement certifying a candidate's treasurer must contain the office the candidate is seeking and the year of the election. A state public officeholder shall also certify the name and address of such officeholder's political treasurer to the registry of election finance before the officeholder or the officeholder's political committee may accept a contribution to defray the expenses incurred in connection with the performance of the officeholder's duties or responsibilities, and a local officeholder shall so certify the name and address of such officeholder's treasurer to the appropriate county election commission. A candidate may serve as that candidate's own political treasurer. A candidate or political campaign committee shall notify the registry of election finance or county election commission of any changes in the office of its political treasurer. Any such statements filed pursuant to this part shall be cosigned by the candidate, if such candidate appoints a political treasurer other than the candidate.

(2) In addition to the requirements in subdivision (e)(1), a multicandidate political campaign committee shall also certify the name and address of all officers of such committee and of all persons who directly control expenditures to the registry of election finance. A multicandidate political campaign committee must have at least one (1) officer, not including the treasurer of such committee, and must have at least one (1) person who directly controls expenditures.

(3)(A) Any multicandidate political campaign committee that registers on or after July 1, 2022, must submit to the registry of election finance evidence of identification for each officer, person who directly controls expenditures, and treasurer of the multicandidate political campaign committee prior to the committee making expenditures or receiving contributions. For any multicandidate political campaign committee in existence on July 1, 2022, the committee must submit any such required evidence of identification by January 31, 2023.

(B) After a multicandidate political campaign committee submits evidence of identification under subdivision (e)(3)(A), if the committee designates a new person as designated in subdivision (e)(3)(A), the committee shall submit evidence of identification for such person within thirty (30) days of the designation.

(C) As used in this subdivision (e)(3), "evidence of identification" has the same meaning as such term is used in § 2-7-112(c) except that when a Tennessee identification is specified in that section, any other equivalent identification issued by another state may be used for purposes of this section.

(f) All records used by the candidate or political campaign committee to complete a statement required by this part shall be retained by the candidate or political campaign committee for at least two (2) years after the date of the election to which the records refer or the date of the statement, whichever is later. After the two-year period, the candidate or political campaign committee is authorized to destroy such records, absent any pending investigation by the registry of election finance or any other law enforcement agency, or absent any administrative or court proceeding. Once an investigation is closed by the registry of election finance, records may be destroyed upon a petition for approval to the registry of election finance.

(g) Separate reporting shall be required for both primary elections and general elections. Cumulative reporting for both primary and general elections for the same office in the same year is expressly prohibited. An appointment of a political treasurer pursuant to subsection (e) may be cumulative, and one (1) such appointment shall be sufficient for both a primary and general election for the same office in the same year. A successful primary candidate shall not be required to certify a political treasurer for the general election, if the candidate had previously certified such political treasurer prior to the primary election.

(h)(1) During the period beginning at twelve o'clock (12:00) midnight of the tenth day prior to a primary, general, runoff or special election or a referendum and extending through twelve o'clock (12:00) midnight of such election or referendum day, each candidate or political campaign committee shall, by telegram, facsimile machine, hand delivery, overnight mail delivery, or electronically, file a report with the registry of election finance or the county election commission, whichever is required by subsections (a) and (b), of:

(A) The full name and address of each person or political campaign committee from whom the candidate or committee has received and accepted a contribution, loan, or transfer of funds during such period and the date of the receipt of each contribution that, in the aggregate, equals or exceeds the following amounts:

- (i) For a committee participating in the election of a candidate for any statewide office, five thousand dollars (\$5,000);
- (ii) For a committee participating in the election of a candidate for senate, three thousand dollars (\$3,000); and
- (iii) For a committee participating in the election of any other state or local public office, one thousand dollars (\$1,000); and

(B) The full name and address of each person or recipient entity who was paid or who owes an obligation during the period equal to or exceeding the following amounts:

- (i) For a committee participating in the election of a candidate for any statewide office, five thousand dollars (\$5,000);
- (ii) For a committee participating in the election of a candidate for senate, three thousand dollars (\$3,000); and
- (iii) For a committee participating in the election of any other state or local public office, one thousand dollars (\$1,000).

(2) Any report filed pursuant to subdivision (h)(1) must include the amount, date, and a brief description of each such contribution, expenditure, or loan reported, and a valuation of each in-kind contribution. If a loan is reported, the report shall contain the name and address of the lender, of the recipient of the proceeds of the loan, and of any person who makes any type of

security agreement binding such person or such person's property, directly or indirectly, for the repayment of all or any part of the loan. For an independent expenditure, the report must include the name of the candidate or measure supported or opposed.

(3) Each report required by subdivision (h)(1) shall be filed by the end of the next business day following the day on which the contribution or expenditure to be reported is received or made.

(4) The registry shall develop appropriate forms for the report required by subdivision (h)(1) and make such forms available to the candidates and the county election commissions.

(5)(A) Each report filed under subdivision (h)(1) with the registry of election finance must be posted on the website of the registry as soon as practicable. The registry shall develop an electronic filing system for reports required under subdivision (h)(1).

(B) Each report filed under subdivision (h)(1) with a county election commission must be posted on the website of the commission as soon as practicable, if the commission otherwise posts campaign finance reports. A county election commission may develop an electronic filing system for reports required under subdivision (h)(1).

(6) An expenditure or contribution reported under this subsection (h) must not be omitted or excluded from applicable reports filed pursuant to subsection (c).

(i) Any state or local political party or caucus of such political party established by members of either house of the general assembly that controls or operates one (1) or more political campaign committees shall report all receipts and disbursements by the party in the same manner and at the same time that it reports contributions and expenditures by the party's political campaign committee.

(j) Reports filed under this section shall not be cumulative, except as provided in subsection (g) regarding appointment of a political treasurer. Each report shall reflect the total for its own reporting period.

(k) "Date of the receipt", as used in this section, means the date when the contribution was received by the candidate, candidate's committee, or treasurer.

#### **Credits**

1980 Pub.Acts, c. 861, § 6; 1981 Pub.Acts, c. 136, § 1; 1984 Pub.Acts, c. 683, §§ 3, 7; 1989 Pub.Acts, c. 585, §§ 11 to 13; 1990 Pub.Acts, c. 1078, §§ 1, 2; 1991 Pub.Acts, c. 519, §§ 3, 4; 1995 Pub.Acts, c. 531, §§ 9, 11 to 13, eff. Jan. 1, 1996; 1996 Pub.Acts, c. 1005, § 2, eff. May 13, 1996; 1997 Pub.Acts, c. 410, §§ 1, 2, eff. June 13, 1997; 1998 Pub.Acts, c. 650, §§ 1 to 3, eff. March 24, 1998; 2000 Pub.Acts, c. 925, § 1; 2004 Pub.Acts, c. 915, § 2, eff. June 7, 2004; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 2, eff. Feb. 15, 2006; 2010 Pub.Acts, c. 685, § 1, eff. March 31, 2010; 2012 Pub.Acts, c. 693, § 1, eff. April 11, 2012; 2022 Pub.Acts, c. 1087, §§ 10, 27, eff. July 1, 2022; 2023 Pub.Acts, c. 59, § 1, eff. July 1, 2023; 2023 Pub.Acts, c. 108, § 1, eff. Jan. 1, 2024.

T. C. A. § 2-10-105, TN ST § 2-10-105

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T. C. A. § 2-10-106

§ 2-10-106. Supplemental statements; segregated accounts

Effective: April 4, 2023

Currentness

(a) If the final statement of a candidate shows an unexpended balance of contributions, continuing debts and obligations, or an expenditure deficit, the campaign treasurer shall file with the registry of election finance or the county election commission, whichever is required by § 2-10-105(a) and (b), a supplemental semiannual statement of contributions and expenditures. Beginning after filing the first quarterly report due after an election, subsequent supplemental statements shall be filed on a semiannual basis by candidates until the account shows no unexpended balance, continuing debts and obligations, expenditures, or deficit. A candidate may close out a campaign account by transferring any remaining funds to any campaign fund, subject to the requirements of this part and commence semiannual filing as provided by this part.

(b)(1) A candidate who complies with § 2-10-105(a) and (b), as applicable, and § 2-10-131(a), shall ensure that:

(A) All funds in a campaign account remain separate and segregated at all times from other funds, including from personal funds and the funds of a political campaign committee controlled, either directly or constructively, by the candidate; and

(B) All credit transactions incurred on behalf of the candidate's campaign activities or officeholder activities are separate and segregated at all times from other credit transactions incurred on behalf of the candidate personally; the candidate's business, if any; the candidate's non-campaign or non-officeholder related activity; or the activity of a political campaign committee controlled, either directly or constructively, by the candidate.

(2) Funds maintained in a separate, segregated campaign account in accordance with subdivision (b)(1) are not the personal property of a candidate or other individual. Such funds are not subject to garnishment or any type of execution to satisfy the debts or obligations of an individual that are not campaign debts or obligations.

(3) A candidate found to be in violation of subdivision (b)(1) commits a Class 2 offense.

**Credits**

1980 Pub.Acts, c. 861, § 7; 1984 Pub.Acts, c. 683, §§ 7, 8; 1989 Pub.Acts, c. 585, § 14; 1992 Pub.Acts, c. 932, § 4; 1992 Pub.Acts, c. 978, § 7; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 3, eff. Feb. 15, 2006; 2022 Pub.Acts, c. 1087, § 12, eff. July 1, 2022; 2023 Pub.Acts, c. 108, §§ 2, 3, eff. April 4, 2023.

T. C. A. § 2-10-106, TN ST § 2-10-106

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T. C. A. § 2-10-107

§ 2-10-107. Statements; closing account; in-kind contributions; reimbursement

Effective: January 16, 2023

Currentness

(a) A statement filed under § 2-10-105 or § 2-10-106 shall consist of either:

(1) A statement that neither the contributions received nor the expenditures made during the period for which the statement is submitted exceeded one thousand dollars (\$1,000). Any statement filed pursuant to § 2-10-106 shall indicate whether an unexpended balance of contributions, continuing debts and obligations or an expenditure deficit exists; or

(2)(A)(i) A statement setting forth, under contributions, a list of all the contributions received, including the full name, complete address, occupation, and employer of each person who contributed a total amount of more than one hundred dollars (\$100) during the period for which the statement is submitted, and the amount contributed by that person;

(ii) When a candidate or the treasurer of a political campaign committee shows that best efforts have been used to obtain, maintain and submit the complete address, occupation, and employer required for contributors, the statement shall be considered in compliance with this subdivision (a)(2)(A). “Best efforts” includes notifying the contributor by first class mail that further information concerning such contributor is required under state law, or by including on a written solicitation for contributions a clear request for the contributor's name, address, occupation and employer and by accurately stating that such information is required under state law for all persons contributing more than one hundred dollars (\$100). Further definitions and guidelines, if any, for what is also considered “best efforts” shall be set by rule promulgated pursuant to § 4-55-103(1);

(iii) The statement of each candidate shall include the date of the receipt of each contribution and the statement of a political campaign committee shall include the date of each expenditure that is a contribution to a candidate. “Date of the receipt”, as used in this subdivision (a)(2)(A)(iii), means the date when the contribution was received by the candidate, candidate's committee, or treasurer. The statement shall list as a single item the total amount of contributions of one hundred dollars (\$100) or less; and

(B) A statement setting forth, under expenditures, a list of all expenditures made, including the full name and address of each person to whom an expenditure was paid during the period for which the statement is submitted, the total amount paid to that person, and the purpose of the payment which shall clearly identify that it is an allowable expenditure under § 2-10-114. The words “reimbursement”, “credit card purchase”, “other” and “campaign expense” shall not be considered acceptable descriptions for “purpose”. Any purchase made with a credit card shall also be disclosed as a payment to the vendor providing the item or service. Credit card payments to separate vendors shall be disclosed as separate expenditures. The statement must list the expenditures by category and amount.

(b) When any candidate or political campaign committee desires to close out a campaign account, it may file a statement to such effect at any time; provided, that the statement shall on its face show no unexpended balance, continuing debts or obligations or deficit.

(c)(1) When filing a statement under § 2-10-105 or § 2-10-106, a contribution, as defined in § 2-10-102, for which no monetary consideration is paid or promised, referred to as an in-kind contribution in this part, shall be listed separately in the disclosure statement and excluded from the lists of contributions and expenditures. The in-kind contribution list shall include:

(A) In-kind contributions of a value of one hundred dollars (\$100) or less may be listed as a single item; and

(B)(i) In-kind contributions of a value of more than one hundred dollars (\$100) during the period for which the statement is submitted, and for each such contribution, the category of the contribution, the name, address, occupation and employer of each person who contributed it;

(ii) When a candidate or the treasurer of a political campaign committee shows that best efforts have been used to obtain, maintain and submit the complete address, occupation, and employer required for contributors, the statement shall be considered in compliance with this subdivision (c)(1)(B). "Best efforts" includes notifying the contributor by first class mail that further information concerning such contributor is required under state law, or by including on a written solicitation for contributions a clear request for the contributor's name, address, occupation and employer and by accurately stating such information is required under state law for all persons contributing more than one hundred dollars (\$100). Further definitions and guidelines, if any, for what is also considered "best efforts" shall be set by rule promulgated pursuant to § 4-55-103(1);

(iii) The statement of each candidate shall include the date of the receipt of each in-kind contribution and the statement of a political campaign committee shall include the date of each expenditure that is an in-kind contribution to a candidate.

(2) Within ninety (90) days of February 15, 2006, by rule promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the registry of election finance shall enumerate a nonexclusive listing of examples of the various categories of contributions that constitute "in-kind contributions" requiring disclosure. Upon promulgating such rule, the registry shall provide a copy of such rule to each member of the general assembly and each qualified candidate for state office. Any changes or revisions to the rules shall be promulgated pursuant to § 4-55-103(1).

(d) An in-kind contribution is deemed to be made and shall be reportable in the period when such contribution is made or performed and not when the cost is billed or paid. The actual cost of the in-kind contribution, if known, shall be reported in the period such contribution is made or performed. If the actual cost of the in-kind contribution is not known, an estimate of the cost shall be reported in the period such contribution is made or performed, and the report shall indicate that the amount reported is estimated. If the actual cost, as indicated on the bill, is different from the amount reported, such amount shall be amended or adjusted on a later report covering the period in which payment is made.

(e) A statement filed under § 2-10-105 or § 2-10-106 shall also list any unexpended balance, any deficit and any continuing financial obligations of the candidate, campaign or committee.

(f) Payments to a person as reimbursement for expenditures made by the person on behalf of the candidate or committee shall be disclosed as payments to the vendor who provided the item or service to the candidate or committee, not the person who is reimbursed.

(g) Notwithstanding this section to the contrary, a candidate's statement may only have up to two thousand dollars (\$2,000) of unitemized contributions. Once the two-thousand-dollar amount has been reached for a statement period, any contribution received thereafter must be itemized as provided in subdivision (a)(2)(A) regardless of amount.

#### **Credits**

1980 Pub.Acts, c. 861, § 8; 1984 Pub.Acts, c. 683, § 6; 1986 Pub.Acts, c. 780, § 2; 1989 Pub.Acts, c. 585, §§ 15, 33; 1990 Pub.Acts, c. 943, § 3; 1991 Pub.Acts, c. 519, §§ 5, 6; 1995 Pub.Acts, c. 531, §§ 14, 15, eff. Jan. 1, 1996; 1997 Pub.Acts, c. 410, §§ 3, 4, eff. June 13, 1997; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 4, eff. Feb. 15, 2006; 2009 Pub.Acts, c. 556, §§ 2 to 4, eff. July 1, 2009; 2022 Pub.Acts, c. 1087, §§ 7, 8, eff. Jan. 16, 2023.

T. C. A. § 2-10-107, TN ST § 2-10-107

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-108

§ 2-10-108. Complaints

Effective: July 1, 2023

Currentness

(a) A registered voter of Tennessee may file a sworn complaint alleging that a statement filed regarding an election for which that voter was qualified to vote does not conform to law or to the truth or that a person has failed to file a statement required by law.

(b)(1) All sworn complaints on a report of a candidate for state public office, a political campaign committee contributing to a candidate for state public office, or a political campaign committee registered with the registry of election finance must be filed in the office of the registry of election finance. The registry shall conduct a preliminary review to determine if the complaint is factually and legally sufficient. If the complaint is not factually and legally sufficient, then the registry shall dismiss the complaint and notify the complainant. If the registry determines the complaint is factually and legally sufficient, then the registry may refer the complaint to the office of the attorney general and reporter, who shall conduct a preliminary investigation and report the findings of the investigation in writing to the registry. Alternatively, if the registry determines that the complaint is factually and legally sufficient and that the circumstances are appropriate, then the registry may order the registry's staff to conduct an investigative audit of the alleged violator's campaign finance disclosure reports. In such instances, the alleged violator is obligated to produce all documentation required to be maintained by § 2-10-105(f) and to comply in good faith and with total candor with all requests for documentation or clarification properly requested by the registry's auditor or counsel.

(2) Once either the attorney general's investigation or the audit is complete, the registry shall set the complaint for a show cause hearing to determine if the registry should take action regarding the complaint, including, but not limited to, assessing civil penalties pursuant to § 2-10-110. Both the alleged violator and the complainant are entitled, upon request, to present evidence before the registry at or prior to the show cause hearing. The registry must have notice that evidence will be presented to the registry personally served upon, sent by return receipt requested mail, or sent by electronic mail to the alleged violator and the complainant.

(3) The registry may determine the appropriate procedure for the presentation of evidence. After the conclusion of the show cause hearing, the registry shall reduce its decision to writing and provide a written statement of the registry's decision to all parties.

(c) All sworn complaints on a statement of:

(1) A candidate for local public office must be filed in the office of the district attorney general who represents the judicial district in which the voter resides; or

(2) A local political campaign committee must be filed in the office of the registry of election finance.

(d) Any person who knowingly and willfully files a sworn complaint which is false or for the purpose of harassment is subject to the civil penalties enacted into law by 1989 Pub.Acts, c. 585, and is liable for reasonable attorneys' fees incurred by the candidate who was the subject of such complaint.

**Credits**

1980 Pub.Acts, c. 861, § 9; 1989 Pub.Acts, c. 585, § 16; 1989 Pub.Acts, c. 591, § 113; 1990 Pub.Acts, c. 943, § 2; 2022 Pub.Acts, c. 901, § 1, eff. April 19, 2022; 2023 Pub.Acts, c. 59, § 2, eff. July 1, 2023; 2023 Pub.Acts, c. 108, § 4, eff. April 4, 2023.

T. C. A. § 2-10-108, TN ST § 2-10-108

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-109

§ 2-10-109. Duties of attorneys general

Effective: April 4, 2023

Currentness

(a) It is the duty of the attorney general and reporter to:

(1) Advise county election commissions, primary boards and administrators of elections of their duties and responsibilities required by this part;

(2) Provide opinions upon the requirements of this part to the members of the general assembly, district attorneys general, the state and county election commissions, and such other officials who are charged with the administration of this law; and

(3) Represent the registry of election finance in any action or lawsuit in any court of this state.

(b)(1) A district attorney shall:

(A) Investigate a sworn complaint filed in accordance with § 2-10-108(c); and

(B) Upon review and the completion of the investigation of a complaint, refer its investigative report containing findings of potential violations, if any, to the registry for consideration of the assessment of civil penalties pursuant to § 2-10-110.

(2) The registry may, upon review of an investigative report received from a district attorney general under subdivision (b)(1) (B), dismiss the complaint if the complaint is not factually and legally sufficient. The registry shall notify the complainant of the dismissal. If the registry determines the complaint is factually and legally sufficient, then the registry may set the complaint for a show cause hearing to determine if the registry should take action regarding the complaint, including, but not limited to, assessing civil penalties pursuant to § 2-10-110.

(3) Both the alleged violator and the complainant may, upon request, present evidence before the registry at or prior to the show cause hearing. The registry shall notify the alleged violator and the complainant that evidence will be presented to the registry if requested. The registry may determine the appropriate procedure for presenting evidence. After the conclusion of the show cause hearing, the registry shall reduce its decision to writing and provide a written statement of the registry's decision to all parties.

**Credits**

1980 Pub.Acts, c. 861, §§ 4, 10; 1989 Pub.Acts, c. 585, §§ 17, 18; 2023 Pub.Acts, c. 108, § 5, eff. April 4, 2023.

T. C. A. § 2-10-109, TN ST § 2-10-109

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-110

§ 2-10-110. Penalties

Effective: April 4, 2023

Currentness

(a) The registry of election finance may impose a civil penalty for a violation of this part as provided in this section.

(1) “Class 1 offense” means the late filing of any report or statement required by this part. A Class 1 offense shall be punishable by a civil penalty of not more than twenty-five dollars (\$25.00) per day up to a maximum of seven hundred fifty dollars (\$750).

(A) For local public offices, the county administrator of elections shall have personally served upon, or send by return receipt requested mail, an assessment letter to any candidate or committee upon the administrator's discovery that a due report has not been filed. The administrator shall forward a copy of such notice to the registry of election finance. For state public offices, the registry of election finance shall have personally served upon, or send by return receipt requested mail, an assessment letter to any candidate or committee upon the registry or its appropriate staff discovering that a due report has not been filed. A civil penalty of twenty-five dollars (\$25.00) per day shall begin to accrue five (5) days after personal service or receipt of the letter and shall continue to accrue until the report is filed or for thirty (30) days, whichever occurs first; provided, that no civil penalty shall be imposed by the registry of election finance if a candidate fails to list a contribution on a filed report but corrects the omission to the registry's satisfaction within ten (10) business days from the date on which the candidate is served process by, or receives notice from, the registry. This ten-day period shall not serve to stay the running of any time period or reduce any penalty established by this section. A candidate shall only be allowed to correct up to two (2) omissions in one (1) calendar year and the total of the omissions shall not exceed two thousand dollars (\$2,000). Any omission corrected by the candidate prior to the registry's discovery of the omission shall not count against the limitation on correction of omissions.

(B) For any Class 1 offense, the registry of election finance, through its appropriate staff, shall send an assessment letter to a candidate or committee in a form sufficient to advise the candidate or committee of the factual basis of the violation, the maximum penalty and the date a response to the letter must be filed. If a disclosure report is returned to a candidate or committee for correction, a copy of the original shall be retained on file until the corrected report is returned to the registry of election finance. If the original filing was in compliance with the intent of the law and minor errors are corrected within the date set for a response, no penalty shall be assessed.

(C) To request a waiver, reduction, or to in any way contest a Class 1 penalty imposed by the registry of election finance, a candidate for a state or local public office shall file a petition with the registry of election finance. Such petition may be considered as a contested case proceeding under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(2) “Class 2 offense” means failing to file a report required by this part within thirty-five (35) days after service of process or receipt of notice by registered or certified mail of an assessment or any other violation of the requirements of this part. A Class



2 offense is punishable by a maximum civil penalty of not more than ten thousand dollars (\$10,000) or fifteen percent (15%) of the amount in controversy, if fifteen percent (15%) of the amount in controversy is greater than ten thousand dollars (\$10,000).

(A) For state and local public offices, the registry of election finance may impose a civil penalty for any Class 2 offense; provided, that no penalty shall be imposed by the registry of election finance if a candidate fails to list a contribution on a filed report but corrects the omission to the registry's satisfaction within ten (10) business days from the date on which the candidate is served process by, or receives notice from, the registry. This ten-day period shall not serve to stay the running of any time period established by this section. A candidate shall only be allowed to correct up to two (2) omissions in one (1) calendar year and the total of the omissions shall not exceed two thousand dollars (\$2,000). Any omission corrected by the candidate prior to the registry's discovery of the omission shall not count against the limitation on correction of omissions.

(B) To request a waiver, reduction, or to in any way contest a Class 2 penalty imposed by the registry of election finance, a candidate for a state or local public office shall file a petition with the registry of election finance. Such petition may be considered as a contested case proceeding under the Uniform Administrative Procedures Act. In a contested case proceeding, the candidate or political campaign committee bears the burden of proof to establish that the candidate or committee's conduct, or submitted reports, complied with this part.

(C) "Amount in controversy" means, as appropriate to the case, the greater of the total expenditures or total contributions, either of which or both of which are shown on a late report subsequently filed, or the amount of an expenditure or contribution that was not reported or was incorrectly reported.

(b) Penalties imposed under this part shall be deposited into the state general fund.

(c)(1) The registry of election finance shall maintain a register of all civil penalties imposed under this part and remaining unpaid.

(2) If a civil penalty lawfully assessed and any lawfully assessed cost attendant to the penalty are not paid within thirty (30) days after the assessment becomes final, or by the qualifying deadline for election, whichever is earlier, the candidate owing such civil penalty shall be ineligible to qualify for election to any state or local public office until such penalty and costs are paid.

(3) If a civil penalty authorized by this section is imposed, it shall be considered as a personal judgment against the candidate.

(d) A candidate for state or local public office who fails to file any statement or report required by this part shall be ineligible to qualify for election to any state or local public office until such statement or report is filed with either the registry or the appropriate county election commission, or both.

(e) It is the intent of the general assembly that the sanctions provided in this section shall be the civil penalties enacted into law by Acts 1989, ch. 585.

(f)(1)(A) For any civil penalty levied by the registry against a multicandidate political campaign committee under this section or § 2-10-308, any person who directly controlled expenditures is personally liable for the penalty.

(B) Notwithstanding subdivision (f)(1)(A), for any civil penalty authorized by this section or § 2-10-308 and levied against a multicandidate political campaign committee that named or certified one (1) or more candidates as a treasurer or officer at the time an offense occurred, or was constructively controlled or directed by one (1) or more candidates in the commission of an offense, the candidate, or candidates, and any person who directly controlled expenditures for the committee are personally liable for the penalty.

(C) Any civil penalty for a Class 2 offense must not be paid using funds from a multicandidate political campaign committee.

(2) If a civil penalty lawfully assessed and any lawfully assessed cost attendant to the penalty are not paid within thirty (30) days after the assessment becomes final, the multicandidate political campaign committee owing the civil penalty shall be prohibited from receiving contributions; making expenditures to support or oppose candidates; or making expenditures to other multicandidate political campaign committees; and the treasurer and officers of such delinquent multicandidate political campaign committee shall be prohibited from creating another multicandidate political campaign committee or serving as a treasurer or an officer for another multicandidate political campaign committee until such penalty and all costs attendant to the penalty are paid in full.

(3) If a civil penalty lawfully assessed under this part against a multicandidate political campaign committee is not paid within thirty (30) days after the assessment becomes final, the treasurer and the officers of the multicandidate political campaign committee listed on the forms on file with the registry pursuant to § 2-10-105(e)(2) at the time the conduct that gave rise to the civil penalty occurred are ineligible to qualify for election to a state or local public office until the penalty is paid.

(g) The registry shall not accept a settlement in which the aggregate amount of assessed civil penalties exceeds twenty-five thousand dollars (\$25,000) unless the settlement proposal is considered at either a regular meeting or, notwithstanding § 2-10-203(f), a special meeting called by the chair in which at least twenty-four (24) hours' notice is given to each member of the registry and each party seeking a settlement proposal. If a special meeting is called pursuant to this subsection (g), an agenda for the meeting must be placed on the registry's website at least twenty-four (24) hours prior to the meeting. The agenda must include the style of any matter to be considered, and the special meeting must be limited to consideration of only the matters listed on the agenda.

#### **Credits**

1980 Pub.Acts, c. 861, § 11; 1989 Pub.Acts, c. 585, § 19; 1989 Pub.Acts, c. 591, § 113; 1990 Pub.Acts, c. 943, § 2; 1991 Pub.Acts, c. 519, §§ 7 to 9; 1996 Pub.Acts, c. 1005, § 3, eff. May 13, 1996; 1997 Pub.Acts, c. 464, § 1, eff. June 13, 1997; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 6, eff. Feb. 15, 2006; 2007 Pub.Acts, c. 151, §§ 1, 2, eff. May 14, 2007; 2021 Pub.Acts, c. 487, § 1, eff. May 18, 2021; 2022 Pub.Acts, c. 1087, § 1, eff. May 27, 2022; 2022 Pub.Acts, c. 1087, § 11, eff. July 1, 2022; 2023 Pub.Acts, c. 108, § 6, eff. April 4, 2023.

T. C. A. § 2-10-110, TN ST § 2-10-110

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-111

§ 2-10-111. County election commission; notice of election; report

Effective: July 1, 2009

Currentness

(a) Each county election commission shall notify the state election commission and the registry of election finance of each local election held in that county at the same time that public notice is posted for the election.

(b) Each time that a statement for a candidate for local public office or political campaign committee for a local election is due to be filed with the county election commission under § 2-10-105, the county election commission shall file with the registry of election finance a report certifying that all candidates have filed the report timely or a list of all candidates who have failed to report timely. For each local candidate who is reported to the registry of election finance as filing late, the county election commission shall be required to file, on a form prescribed by the registry, information pertaining to the late filing. The registry shall determine by rule what information from the county election commission shall be necessary. Any changes or revisions to the rules shall be promulgated pursuant to § 4-55-103(1).

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 6, eff. Feb. 15, 2006; 2009 Pub.Acts, c. 556, § 5, eff. July 1, 2009.

T. C. A. § 2-10-111, TN ST § 2-10-111

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-112

§ 2-10-112. Use of previous campaign account

Effective: July 10, 2014

Currentness

Notwithstanding any other law to the contrary, any candidate who has a previous campaign account with an outstanding balance and who chooses to apply contributions to that previous campaign account, shall not exceed the campaign contribution limits in part 3 of this chapter, for the election cycle during which the candidate accepts the contribution, regardless of whether such candidate applies the amount to the previous campaign account or to the current campaign account. Under no circumstances shall the candidate exceed the contribution limits for the election cycle to which the previous campaign account with an outstanding balance applies.

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 19, eff. Feb. 15, 2006.

T. C. A. § 2-10-112, TN ST § 2-10-112

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-113

§ 2-10-113. Contributions; digital currency

Effective: April 30, 2015

Currentness

(a) A candidate or political campaign committee is allowed to accept digital currency as a contribution. Digital currency shall be considered a monetary contribution with the value of the digital currency being the market value of the digital currency at the time the contribution is received.

(b) Any increase in the value of digital currency being held by a candidate or political campaign committee shall be reported as interest on any statement filed pursuant to § 2-10-105.

(c) A candidate or political campaign committee must sell any digital currency and deposit the proceeds from those sales into a campaign account before spending the funds.

**Credits**

2015 Pub.Acts, c. 379, § 2, eff. April 30, 2015.

T. C. A. § 2-10-113, TN ST § 2-10-113

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-114

§ 2-10-114. Unexpended contributions; use; prohibited expenditures

Effective: April 4, 2023

Currentness

(a) Any candidate for public office in this state shall allocate an unexpended balance of contributions after the election to one (1) or a combination of the following:

- (1) The funds may be retained or transferred to any campaign fund pursuant to Tennessee reporting requirements;
- (2) The funds may be returned to any or all of the candidate's contributors, in accordance with a formula or plan specified in the candidate's disclosure of the allocation;
- (3) The funds may be distributed to the executive committee of the candidate's political party;
- (4) The funds may be deposited in the volunteer public education trust fund established under title 49, chapter 3, part 4;
- (5) The funds may be distributed to any organization described in 26 U.S.C. § 170(c);
- (6) The funds may be distributed to an organization that has received a determination of exemption from the United States internal revenue service pursuant to 26 U.S.C. § 501(c)(3) or (4), if such organization is currently operating under such exemption;
- (7) The funds may be used to defray any ordinary and necessary expenses incurred in connection with the office of the officeholder. Such expenses may include, but are not limited to, the cost of advertisements, membership fees, and donations to community causes; and
- (8) The funds may be distributed to any institution of public or private education in the state, for the purpose of supplementing the funds of an existing scholarship trust or program.

(b)(1) Except as provided in subsection (a), no candidate for public office shall use any campaign funds for any other purpose other than a contribution or expenditure as defined by this part. The disbursement of campaign funds for a candidate's own personal use is not permitted. For the purpose of this section, "personal use" means any use by which the candidate for public

office or elected public official would be required to treat the amount of the expenditure as gross income under 26 U.S.C. § 61, or any subsequent corresponding Internal Revenue Code section.

(2) Expenditures that are specifically prohibited under this section include, but are not limited to:

(A) Any residential or household items, supplies or expenditures, including mortgage, rent or utility payments for any part of any personal residence of a candidate or officeholder or a member of the candidate's or officeholder's family;

(B) Mortgage, rent, or utility payments for any part of any nonresidential property that is owned by a candidate or officeholder or a member of a candidate's or officeholder's family and used for campaign purposes, to the extent the payments exceed the fair market value of the property usage;

(C) Funeral, cremation, or burial expenses related to deaths within a candidate's or officeholder's family;

(D) Clothing, other than items of de minimis value that are used in the campaign;

(E) Tuition payments within a candidate's or officeholder's family other than those associated with training campaign staff or associated with an officeholder's duties;

(F) Dues, fees, or gratuities at a country club, health club, or recreational facility, unless they are part of a specific fundraising event that takes place on the organization's premises;

(G) Salary payments to a member of a candidate's family, unless the family member is providing bona fide services to the campaign. If a family member provides bona fide services to the campaign, any salary payment in excess of the fair market value of the services provided is a prohibited use;

(H) Admission to a sporting event, concert, theater, activity, charitable event or other form of entertainment, unless the event is an expense associated with a legitimate campaign or officeholder activity, where the tickets to such event are provided to students attending schools, guests or constituents of the candidate or officeholder, or persons involved in the candidate's or officeholder's campaign;

(I) Payments for grooming or enhancing one's personal appearance unrelated to campaign activities; or

(J) Payment of any fines, fees, or penalties assessed pursuant to this chapter or title 3, chapter 6.

(3) A violation of this subsection (b) is a Class 2 offense as defined in § 2-10-110(a)(2).

(c) In addition to the manner in which unexpended balances in the campaign account of a candidate may be allocated under subsection (a), if an incumbent dies while in office and has an unexpended balance in a campaign account, and if such incumbent's surviving spouse or child is appointed to fill the unexpired term of the deceased incumbent or is elected to the



office previously held by the deceased, then the balance remaining in the campaign account of such deceased incumbent shall be transferred to the campaign account of the surviving spouse or child of the deceased incumbent for use by such surviving spouse or child as a candidate for election to public office in accordance with this part.

(d)(1) In the event a candidate for public office dies with an unexpended balance of contributions in such candidate's campaign account and subsection (c) is not applicable, then the following individuals, in the descending order, are authorized to allocate such unexpended balance to those persons, political parties, or charitable organizations listed in subdivisions (a)(2)-(6) and (a)(8):

(A) The deceased candidate, if the candidate provided for allocation of an unexpended balance through the candidate's will;

(B) The deceased candidate's treasurer, unless the candidate was the treasurer;

(C) The surviving spouse of the deceased candidate, if the candidate was the treasurer; and

(D) The next of kin of the deceased candidate, if subdivisions (d)(1)(B) and (C) do not apply.

(2) If a decision is not made by any such individual, or individuals where subdivision (d)(1)(D) applies, within one (1) year of the date of death of the deceased candidate, then the unexpended balance shall be distributed by the registry of election finance to the volunteer public education trust fund established under title 49, chapter 3, part 4.

(e) Notwithstanding subsection (a), if a member of the general assembly raises funds for a local public office during the time the general assembly is in session in accordance with § 2-10-310(a), then any unexpended balance of contributions in the campaign account established by that member of the general assembly for the member's candidacy for local public office shall not be used for or distributed to a campaign fund:

(1) For the benefit of any election for any candidate for the general assembly;

(2) For the benefit of any statewide election, or any state, national or other political party;

(3) For the benefit of any state, national or other political party caucus; or

(4) For the benefit of any state, national or other political party caucus member.

(f) In addition to the manner in which unexpended balances in the campaign account of a candidate may be allocated under subsection (a), a member of the general assembly may use the funds to:

(1) Pay for lodging expenses or pay for a portion of lodging expenses on the same day the member earns mileage reimbursement or per diem, pursuant to § 3-1-106, if the lodging is necessitated by the normal course of the member's duties and the member

is not otherwise eligible for reimbursement for such lodging or the member's reimbursement does not cover the total amount of the lodging expense; and

(2) Reimburse the member for mileage above the mileage for which the member is reimbursed by this state for travel to Nashville, if the additional miles traveled are necessitated by the normal course of the member's duties.

(g)(1) Transfers of funds or assets from a candidate's campaign account or a political campaign committee controlled by a candidate for a federal election to a candidate's campaign account or a political campaign committee of or for such candidate in an election for a state or local public office in this state are prohibited.

(2) Transfers of excess funds or assets from a candidate's political campaign committee or campaign account for election to a local public office to a political campaign committee or campaign account of or for such candidate in an election to the general assembly or governor in this state are prohibited.

### **Credits**

1992 Pub.Acts, c. 932, § 1; 2001 Pub.Acts, c. 384, § 1, eff. June 12, 2001; 2002 Pub.Acts, c. 470, § 2, eff. Feb. 15, 2002; 2002 Pub.Acts, c. 600, § 1, eff. April 9, 2002; 2005 Pub.Acts, c. 163, §§ 3, 4, eff. July 1, 2005; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 8, eff. Feb. 15, 2006; 2011 Pub.Acts, c. 389, § 2, eff. June 1, 2011; 2022 Pub.Acts, c. 1026, § 1, eff. May 11, 2022; 2023 Pub.Acts, c. 108, § 7, eff. April 4, 2023.

T. C. A. § 2-10-114, TN ST § 2-10-114

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-115

§ 2-10-115. Reports to ethics commission; consolidated form

Effective: July 10, 2014

Currentness

(a) The governor, secretary of state, comptroller of the treasury, treasurer, any member of the governor's cabinet, cabinet level staff, and those persons' spouses shall report annually to the Tennessee ethics commission prior to April 15 the following information for the prior calendar year:

(1) The major source or sources of private income of more than two hundred dollars (\$200), including, but not limited to, offices, directorships, and salaried employments of the person making disclosure, but no dollar amounts need be stated. The disclosure shall state the name and address of any entity that provides a source of private income of more than two hundred dollars (\$200). This subdivision (a)(1) shall not be construed to require the disclosure of any client list or customer list, nor the address of any investment property. When reporting private income received from a security listed on the New York Stock Exchange, American Stock Exchange or the Nasdaq, the disclosure may state only the name of the entity, in lieu of disclosing the name and address of the entity. If a person listed in subsection (a) or their spouse's ownership of a business enterprise's securities provides income of more than two hundred dollars (\$200), then the business enterprise shall be named in lieu of any investment brokerage firm or other fiduciary that may possess or manage the securities on behalf of such person or spouse. If a person listed in subsection (a) or their spouse's ownership of shares of a mutual fund provides income of more than two hundred dollars (\$200), then the mutual fund shall be named in lieu of the business enterprises whose securities are owned by the mutual fund. For purposes of this subdivision (a)(1), income shall be reported for the calendar year in which it is received. When reporting private income received from investments with a federal or state chartered bank, the disclosure may state only the name of the bank, in lieu of stating the name and address of the bank;

(2) Any positions held during the applicable reporting period, including, but not limited to, those of an officer, director, trustee, general partner, proprietor, or representative of any corporation, firm, partnership, or other business enterprise, or any nonprofit organization or educational institution. Both the year and month shall be reported for the period of time the position was held. Positions with the federal government, religious, social, fraternal, or political entities, and those solely of an honorary nature do not require disclosure; and

(3) Any trust considered to be a "blind trust" pursuant to § 35-50-120 to which a person listed in subsection (a) or their spouse is an interested party. The person making disclosure shall state that the person is an interested party to a blind trust and provide the name and address of the trustee of the trust. Notwithstanding any provisions of this subdivision (a)(3) to the contrary, the person making disclosure is not required to disclose any individual asset held in a blind trust.

(b) The reports in subsection (a) shall be posted on the website of the Tennessee ethics commission. The Tennessee ethics commission shall modify existing forms to accomplish the purposes of this section.

(c) The commission shall create a consolidated form that collects the information required to be reported by this section and § 8-50-502. Any person, who is required to disclose information pursuant to this section and § 8-50-501, who files the consolidated form in a manner that complies with the requirements of those sections, shall fulfill the requirements of this section and § 8-50-501. Filing the consolidated form prior to April 15 as required by this section shall also fulfill the requirements of §§ 8-50-503 and 8-50-504.

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 33, eff. Feb. 15, 2006.

T. C. A. § 2-10-115, TN ST § 2-10-115

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-116

§ 2-10-116. Honoraria

Currentness

(a) The acceptance of an honorarium by a public official in such person's capacity as a public official is prohibited. "Honorarium" means a payment of money or any thing of value for an appearance, speech or article, but does not include actual and necessary travel expenses, meals and lodging associated with such appearance, speech or article.

(b) Acceptance of an honorarium for an appearance, speech or article by a public official in such person's capacity as a private business person, professional or tradesperson is not prohibited.

(c) As used in this section, "public official" means:

- (1) Each person holding any state public office filled by the voters;
- (2) Each person holding any local public office filled by the voters;
- (3) Each member of the governor's cabinet; and
- (4) Each cabinet level staff person employed within the governor's office.

**Credits**

1992 Pub.Acts, c. 978, § 4; 2006 Pub.Acts, c. 545, § 1, eff. April 24, 2006.

T. C. A. § 2-10-116, TN ST § 2-10-116

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-117

§ 2-10-117. Repealed by 2022 Pub.Acts, c. 1087, § 6, eff. May 27, 2022

Effective: May 27, 2022

Currentness

T. C. A. § 2-10-117, TN ST § 2-10-117

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-118

§ 2-10-118. Prior assessment records; intentional failure by responsible party to file required report

Currentness

(a) It is unlawful for a responsible party of a multicandidate political campaign committee who has a prior assessment record to intentionally fail to file a required report under this chapter, for which the party is responsible for filing, within thirty-five (35) days after service of process or receipt of notice from the registry by registered or certified mail. For the purposes of this section, “responsible party” is the treasurer of the committee appointed pursuant to § 2-10-105(e), or if no treasurer has been appointed, any person who organizes or directs the fundraising activities of a multicandidate political campaign committee. A responsible party shall be considered to have a prior assessment record for purposes of this section if during the person's service as a responsible party to one (1) or more multicandidate political campaign committees, the committee or committees violate on two (2) or more occasions § 2-10-110 or § 2-10-308 and such violations result in the committee or committees being assessed a penalty by the registry.

(b) A violation of this section is a Class E felony.

**Credits**

1997 Pub.Acts, c. 399, § 1, eff. July 1, 1997.

T. C. A. § 2-10-118, TN ST § 2-10-118

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-119

§ 2-10-119. Repealed by 2023 Pub.Acts, c. 108, § 8, eff. April 4, 2023

Effective: April 4, 2023

Currentness

T. C. A. § 2-10-119, TN ST § 2-10-119

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-120

§ 2-10-120. Investigation of disclosure laws violations

Currentness

The county election commission has the authority to forward information regarding violation of disclosure laws by candidates for local public office to the district attorney general for investigation without the necessity of a sworn complaint from a registered voter as provided by § 2-10-108.

**Credits**

2000 Pub.Acts, c. 756, § 19, eff. May 18, 2000.

T. C. A. § 2-10-120, TN ST § 2-10-120

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-121

§ 2-10-121. Repealed by 2023 Pub.Acts, c. 108, § 12, eff. April 4, 2023

Effective: April 4, 2023

Currentness

T. C. A. § 2-10-121, TN ST § 2-10-121

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-122

§ 2-10-122. Definitions

Effective: July 9, 2012

Currentness

As used in this section and §§ 2-10-123 -- 2-10-128, unless the context otherwise requires:

(1) “Consulting services” with respect to an official in the legislative branch or an official in the executive branch means services to advise or assist a person or entity in influencing legislative or administrative action, as that term is defined in § 3-6-301, relative to Tennessee state government. “Consulting services” with respect to an official in the legislative branch or an official in the executive branch also means services to advise or assist a person or entity in maintaining, applying for, soliciting or entering into a contract with the state of Tennessee. “Consulting services” does not mean the practice or business of law in connection with representation of clients by a licensed attorney in a contested case action, administrative proceeding or rule making procedure;

(2) “Consulting services” with respect to an elected municipal or county official, including a member-elect of a municipal or county legislative body, means services to advise or assist a person or entity in influencing legislative or administrative action, as that term is defined in § 3-6-301, relative to the municipality or county represented by that official. “Consulting services” with respect to an elected municipal or county official, including a member-elect of a municipal or county legislative body, also means services to advise or assist a person or entity in maintaining, applying for, soliciting or entering into a contract with the municipality or county represented by that official. “Consulting services” does not mean the practice or business of law in connection with representation of clients by a licensed attorney in a contested case action, administrative proceeding or rule making procedure;

(3) “Fee, commission, or any other form of compensation” and “compensation” do not include anything of value that may be accepted under § 2-10-116 or that is identified in § 3-6-305(b);

(4) “Official in the executive branch” means the governor, any member of the governor's staff or any person in the executive service as such term is defined in § 8-30-202; provided, however, that “official in the executive branch” shall not include members of boards and commissions who receive only expenses or a nominal per diem not to exceed six hundred dollars (\$600) per month, unless they provide consulting services for compensation with respect to the activities of the board or commission of which they are a member; and

(5) “Official in the legislative branch” has the same meaning as the term is defined in § 3-6-301.

**Credits**

2005 Pub.Acts, c. 102, § 1, eff. July 1, 2005; 2006 Pub.Acts, c. 1, § 29, eff. Feb. 15, 2006.

T. C. A. § 2-10-122, TN ST § 2-10-122

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-123

§ 2-10-123. Compensation for consulting services; state officials

Effective: July 1, 2022

Currentness

(a) It is an offense for any member of the general assembly, member-elect of the general assembly, governor, member of the governor's cabinet, member of the governor's staff, secretary of state, treasurer, or comptroller of the treasury to knowingly receive a fee, commission or any other form of compensation for consulting services from any person or entity, other than compensation paid by the state, a county or municipality.

(b) It is an offense for any person or other entity, other than the state, a county or a municipality, to pay a fee, commission or any other form of compensation for consulting services to a person such person or entity knows to be a member of the general assembly, member-elect of the general assembly, governor, member of the governor's cabinet, member of the governor's staff, secretary of state, treasurer, or comptroller of the treasury.

(c)(1)(A) If conduct giving rise to a violation of this section would also constitute the offense of bribery prohibited by § 39-16-102, then such violation is a Class C felony. Any person convicted of such offense shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

(B) Nothing contained within this section shall be construed to prohibit prosecution and conviction for the Class C felony offense of bribery of a public servant, set forth in § 39-16-102; nor shall it be construed to prohibit prosecution and conviction for any other applicable criminal offense.

(2) Any other violation of this section is a Class A misdemeanor. Any person convicted of such offense shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

**Credits**

2005 Pub.Acts, c. 102, § 1, eff. July 1, 2005; 2022 Pub.Acts, c. 1087, § 22, eff. July 1, 2022.

T. C. A. § 2-10-123, TN ST § 2-10-123

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-124

§ 2-10-124. Compensation for consulting services; county and municipal officials

Effective: July 10, 2014

Currentness

(a) It is an offense for any member of a municipal or county legislative body, member-elect of a municipal or county legislative body, or other elected county or municipal official to knowingly receive a fee, commission or any other form of compensation for consulting services, other than compensation paid by the state, a county, or municipality.

(b) It is an offense for any person or other entity, other than the state, a county, or a municipality, to pay a fee, commission or any other form of compensation for consulting services relating to a municipality or county if such person or entity knows the person to whom the compensation is paid is a member of the municipal or county legislative body, a member-elect of the municipal or county legislative body, or other elected municipal or county official in the county or municipality in which the consulting services are to be performed.

(c)(1)(A) If conduct giving rise to a violation of this section would also constitute the offense of bribery prohibited by § 39-16-102, then such violation is a Class C felony. Any person convicted of such offense shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

(B) Nothing contained within this section shall be construed to prohibit prosecution and conviction for the Class C felony offense of bribery of a public servant, set forth in § 39-16-102; nor shall it be construed to prohibit prosecution and conviction for any other applicable criminal offense.

(2) Any other violation of this section is a Class A misdemeanor. Any person convicted of such offense shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

**Credits**

2005 Pub.Acts, c. 102, § 1, eff. July 1, 2005.

T. C. A. § 2-10-124, TN ST § 2-10-124

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-125

§ 2-10-125. Disclosure of payment of compensation for consulting services or campaign services

Effective: March 14, 2023

Currentness

(a) If any person or other entity, other than the state, a county or municipality, contracts to pay a fee, commission or any other form of compensation for consulting services or campaign services to any staff person or employee of the general assembly; member of a commission established by and responsible to the general assembly or either house of the general assembly; member or employee of a state regulatory commission, including, without limitation, commissioners of the Tennessee public utility commission; or member or employee of any executive department or agency or other state body in the executive branch, then such person or entity shall disclose the following to the Tennessee ethics commission:

(1) The person to whom the fee was paid, including the full names and identities of any person or other entity through which payment flowed to or from the person making the disclosure;

(2) The position of the person to whom the fee was paid;

(3) The amount of the fee;

(4) The date the services were rendered; and

(5) A general description of the services rendered.

(b) The disclosure must be on a form designed by the Tennessee ethics commission, be made under oath, and contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form must be filed within five (5) days of entering into a contract for consulting services or campaign services. If services continue to be provided under the contract for a period exceeding twelve (12) months, the disclosure form must be updated annually within five (5) days of the initial contract date in each subsequent year in which the contract is in effect.

(c) All disclosures made to the commission pursuant to this section are public records and open for inspection during regular business hours.

(d)(1) It is a Class A misdemeanor for a person or entity to knowingly fail to file a disclosure or to knowingly provide false, incomplete, or misleading information on the disclosure form.

(2) It is a Class C misdemeanor for any person or entity to file a disclosure form required by this section more than thirty (30) days after the date on which the report is due.

(e) If a person or entity contracts to pay a member of the general assembly or a staff person or employee of the general assembly a fee, commission, or other form of compensation, for the provision of campaign services to a candidate for state office or to a political campaign committee attempting to influence the result of a state election, the person or entity shall make the disclosures required under subdivisions (a)(1)-(5) with respect to the campaign services provided.

(f) As used in this section, “campaign services” means services to advise or assist a candidate, political campaign committee, affiliated political campaign committee, or multicandidate political campaign committee in affecting the result of a state election, including, without limitation, campaign work, paper and electronic advertising, producing mailers and fliers, and distributing mailers and fliers.

#### **Credits**

2005 Pub.Acts, c. 102, § 1, eff. July 1, 2005; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 28, eff. Feb. 15, 2006; 2017 Pub.Acts, c. 94, § 1, eff. April 4, 2017; 2022 Pub.Acts, c. 1087, §§ 17, 18, 21, eff. Aug. 15, 2022; 2023 Pub.Acts, c. 37, § 1, eff. March 14, 2023.

#### **T. C. A. § 2-10-125, TN ST § 2-10-125**

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-126

§ 2-10-126. Disclosure of receipt of compensation for consulting services or campaign services

Effective: March 14, 2023

Currentness

(a) Any staff person or employee of the general assembly; member of a commission established by and responsible to the general assembly or either house of the general assembly; member or employee of a state regulatory commission, including, without limitation, commissioners of the Tennessee public utility commission; or member or employee of any executive department or agency or other state body in the executive branch, who contracts to receive a fee, commission or any other form of compensation for consulting services or campaign services from a person or entity other than the state, a county or municipality, shall be required to make the same disclosure required by § 2-10-125. The Tennessee ethics commission may devise a new form for disclosure of consulting fees or may modify the one required by § 2-10-125 for use by all parties required to disclose.

(b) All disclosures made to the commission pursuant to this section are public records and open for inspection during regular business hours.

(c) The disclosure must be on a form designed by the Tennessee ethics commission, be made under oath, and contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form must be filed within five (5) days of entering any contract for consulting services or campaign services. If services continue to be provided under the contract for a period exceeding twelve (12) months, the disclosure form must be updated annually within five (5) days of the initial contract date in each subsequent year in which the contract is in effect.

(d)(1) It is a Class A misdemeanor for a person or entity to knowingly fail to file a disclosure or to knowingly provide false, incomplete, or misleading information on the disclosure form.

(2) It is a Class C misdemeanor for any person or entity to file a disclosure form required by this section more than thirty (30) days after the date on which the report is due.

(e) If a member of the general assembly or a staff person or employee of the general assembly contracts to receive a fee, commission, or other form of compensation, for the provision of campaign services to a person or political campaign committee attempting to influence the result of a state election, the member, staff person, or employee shall make the disclosures required under § 2-10-125(a)(1)-(5) with respect to the campaign services provided.

(f) As used in this section, “campaign services” means services to advise or assist a candidate, political campaign committee, affiliated political campaign committee, or multicandidate political campaign committee in affecting the result of a state election,

including, without limitation, campaign work, paper and electronic advertising, producing mailers and fliers, and the distribution thereof.

**Credits**

2005 Pub.Acts, c. 102, § 1, eff. July 1, 2005; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 28, eff. Feb. 15, 2006; 2017 Pub.Acts, c. 94, § 1, eff. April 4, 2017; 2022 Pub.Acts, c. 1087, §§ 19, 20, eff. Aug. 15, 2022; 2023 Pub.Acts, c. 37, § 2, eff. March 14, 2023.

T. C. A. § 2-10-126, TN ST § 2-10-126

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-127

§ 2-10-127. Disclosure of relation to lobbyists

Effective: July 10, 2014

Currentness

(a) Any person subject to the prohibition in § 2-10-123(a), whose sibling, spouse or child is required to register as a lobbyist under § 3-6-302, shall report in writing, on a form developed by the Tennessee ethics commission:

(1) The name of the person making the disclosure and such person's business address;

(2) The name and business address of the sibling, spouse or child;

(3) The position of the sibling, spouse or child; and

(4) The name and address of each person for whom the sibling, spouse or child registers for the purpose of lobbying.

(b) The report shall be filed with the commission annually no later than February 1.

(c) Each person subject to the prohibition in § 2-10-123(a) shall file a supplementary report with the Tennessee ethics commission that includes a complete description of any information that has changed from the information supplied in the last registration form or last report. Such supplementary reports shall be filed within ten (10) days of any such change.

(d)(1) A person subject to the prohibition in § 2-10-123(a) shall declare before taking a legislative or administrative action on any matter: "It may be considered that I have a degree of personal interest in the subject matter of this bill or action, but I declare that my argument and my ultimate vote answer only to my conscience and to my obligation to my constituents and the citizens of the state of Tennessee," if:

(A) The person is employed by a business entity that employs a lobbyist, and such lobbyist is employed by the business entity to lobby such legislative or administrative action; or

(B) The matter is lobbied by a sibling, spouse or child of the person subject to the prohibition in § 2-10-123(a).

(2) The person may alternatively state that the person is declaring a potential conflict of interest, in accordance with this section, or indicate the conflict via the voting board in the chamber of the house of representatives or the senate.

(e) The report shall be made under oath and shall contain a statement that a false statement on the report is subject to the penalties of perjury.

(f) All disclosures made to the commission pursuant to this section are public records and open for inspection during regular business hours.

(g) Failure to file a report required by this section is a Class C misdemeanor.

**Credits**

2005 Pub.Acts, c. 102, § 1, eff. July 1, 2005; 2006 Pub.Acts (1st Ex.Sess.), c. 1, §§ 28, 30, 31, eff. Feb. 15, 2006.

T. C. A. § 2-10-127, TN ST § 2-10-127

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-128

§ 2-10-128. Annual reports by members of the general assembly

Effective: July 10, 2014

Currentness

(a) Each member of the general assembly and the member's spouse shall annually report in writing to the Tennessee ethics commission, prior to April 15, the following information for the prior calendar year:

(1) The major source or sources of private income of more than two hundred dollars (\$200), including, but not limited to, offices, directorships, and salaried employments of the person making disclosure, and such person's spouse, but no dollar amounts need be stated. The disclosure shall state the name and address of any entity that provides a source of private income of more than two hundred dollars (\$200). This subdivision (a)(1) shall not be construed to require the disclosure of any client list or customer list, nor the address of any investment property. When reporting private income received from a security listed on the New York Stock Exchange, American Stock Exchange or the Nasdaq, the disclosure may state only the name of the entity, in lieu of disclosing the name and address of the entity. If a member or spouse's ownership of a business enterprise's securities provides income of more than two hundred dollars (\$200), then the business enterprise shall be named in lieu of any investment brokerage firm or other fiduciary that may possess or manage the securities on behalf of the member or spouse. If a member or spouse's ownership of shares of a mutual fund provides income of more than two hundred dollars (\$200), then the mutual fund shall be named in lieu of the business enterprises whose securities are owned by the mutual fund. For purposes of this subdivision (a)(1), income shall be reported for the calendar year in which it is received. When reporting private income received from investments with a federal or state chartered bank, the disclosure may state only the name of the bank, in lieu of stating the name and address of the bank;

(2) Any positions held during the applicable reporting period, including, but not limited to, those of an officer, director, trustee, general partner, proprietor, or representative of any corporation, firm, partnership, or other business enterprise, or any non-profit organization or educational institution. Both the year and month must be reported for the period of time the position was held. Positions with the federal government, religious, social, fraternal, or political entities, and those solely of an honorary nature do not require disclosure; and

(3) Any trust considered to be a "blind trust" pursuant to § 35-50-120 to which a member or the member's spouse is an interested party. The person making disclosure shall state that the person is an interested party to a blind trust and provide the name and address of the trustee of the trust. Notwithstanding any provisions of this subdivision (a)(3) to the contrary, the person making disclosure is not required to disclose any individual asset held in a blind trust.

(b) The reports in subsection (a) shall be posted on the website of the Tennessee ethics commission. The Tennessee ethics commission shall modify existing forms to accomplish the purposes of this section.

(c) The commission shall create a consolidated form that provides for the disclosure of the information required to be reported by this section and § 8-50-502. Any person who is required to disclose information pursuant to this section and § 8-50-501 who files the consolidated form in a manner that complies with the requirements of those sections shall fulfill the requirements of this section and § 8-50-501. Filing the consolidated form prior to April 15 as required by this section shall also fulfill the requirements of §§ 8-50-503 and 8-50-504.

#### **Credits**

2005 Pub.Acts, c. 102, § 1, eff. July 1, 2005; 2005 Pub.Acts, c. 476, § 2, eff. June 20, 2005; 2005 Pub.Acts, c. 486, §§ 2, 3, eff. July 2, 2005; 2006 Pub.Acts (1st Ex.Sess.), c. 1, §§ 28, 32, eff. Feb. 15, 2006.

T. C. A. § 2-10-128, TN ST § 2-10-128

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-129

§ 2-10-129. Disclosure of fees for consulting services; definitions; violations

Effective: August 14, 2008

Currentness

(a)(1) If any person or other entity that contracts with the state of Tennessee, pays more than a two hundred dollar (\$200) fee, commission or other form of compensation, to a member of the general assembly or a member's spouse, for consulting services on contracts to which the state of Tennessee is not a party, and for which such consulting services are to be rendered outside the state of Tennessee, then such person or entity shall disclose the following to the Tennessee ethics commission:

- (A) The name and address of the person or entity paying the fee, commission or other form of compensation;
- (B) The person to whom the fee, commission or other form of compensation was paid, including the amount paid;
- (C) The position of the person to whom the fee, commission or other form of compensation was paid;
- (D) The date the services were rendered; and
- (E) A general description of the services rendered.

(2) As used in this subsection (a), “consulting services” means services performed outside the state of Tennessee, which would be defined as “influencing legislative or administrative action”, in § 3-6-301, if such services were performed in the state of Tennessee. “Consulting services” also includes services to advise or assist a person or entity in maintaining, applying for, soliciting or entering into a contract with a state other than the state of Tennessee.

(b) The disclosure shall be on a form designed by the Tennessee ethics commission, shall be made under oath, and shall contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form shall be filed within five (5) days of entering into a contract not involving the state of Tennessee with a member of the general assembly. Such form shall be updated annually, no later than February 1, if necessary.

(c) All disclosures made to the commission pursuant to this section are public records, and are open for inspection during regular business hours.

(d)(1) It is a Class C misdemeanor for any person or entity to knowingly fail to file a disclosure form as required by this section.

(2) It is a Class C misdemeanor for any person or entity to file a disclosure form required by this section more than thirty (30) days after the date on which the report is due.

**Credits**

2005 Pub.Acts, c. 476, § 3, eff. June 20, 2005; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 28, eff. Feb. 15, 2006.

T. C. A. § 2-10-129, TN ST § 2-10-129

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-130

§ 2-10-130. Contractors; consulting services; filing

Effective: July 10, 2014

Currentness

(a) If any person or other entity that contracts with the state of Tennessee, pays more than a two hundred dollar (\$200) fee, commission or other form of compensation, to the governor, secretary of state, comptroller of the treasury, treasurer, any member of the governor's cabinet, any cabinet level staff, or such persons' spouses, for consulting services on contracts to which the state of Tennessee is not a party, and for which consulting services are to be rendered outside the state of Tennessee, then the person or entity shall disclose the following to the Tennessee ethics commission:

- (1) The name and address of the person or entity paying the fee, commission or other form of compensation;
- (2) The person to whom the fee, commission or other form of compensation was paid, including the amount paid;
- (3) The position of the person to whom the fee, commission or other form of compensation was paid;
- (4) The date the services were rendered; and
- (5) A general description of the services rendered.

(b) As used in this section, "consulting services" means services performed outside the state of Tennessee that would be defined as influencing legislative or administrative action, in § 3-6-301, if those services were performed in the state of Tennessee. "Consulting services" also includes services to advise or assist a person or entity in maintaining, applying for, soliciting or entering into a contract with a state other than the state of Tennessee.

(c) The disclosure shall be on a form designed by the Tennessee ethics commission, shall be made under oath, and shall contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form shall be filed within five (5) days of entering into a contract not involving the state of Tennessee with persons subject to subsection (a). The form shall be updated annually, no later than February 1, if necessary.

(d) All disclosures made to the commission pursuant to this section are public records, and are open for inspection during regular business hours.

(e)(1) It is a Class C misdemeanor for any person or entity to knowingly fail to file a disclosure form as required by this section.

(2) It is a Class C misdemeanor for any person or entity to file a disclosure form required by this section more than thirty (30) days after the date on which the report is due.

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 34, eff. Feb. 15, 2006.

T. C. A. § 2-10-130, TN ST § 2-10-130

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-131

§ 2-10-131. Campaign funds and contributions; deposit and investment; penalties

Effective: July 1, 2017

Currentness

(a) All campaign funds must be deposited into and maintained in a financial institution insured by the federal deposit insurance corporation or the national credit union administration duly authorized to do business in Tennessee and operating under the authority of the department of financial institutions, the United States comptroller of the currency, or the federal reserve board.

(b) Any interest, dividends, or income earned by an investment made pursuant to subsection (a) must be reported on the candidate's or political campaign committee's financial disclosure report.

(c) Any campaign contribution received in a non-monetary form may be held in the form received until the contribution is used to pay expenditures. The funds must be deposited in accordance with subsection (a) at the time of conversion.

(d) Any investment not authorized by subsection (a) is prohibited and the candidate, or in the case of a multicandidate political campaign committee, the treasurer, shall be subject to a civil penalty by the registry of election finance. The registry of election finance may impose a maximum civil penalty for a violation of this section of not more than ten thousand dollars (\$10,000) or one hundred fifteen percent (115%) of the amount invested in violation of this section, whichever is greater.

**Credits**

2017 Pub.Acts, c. 109, § 1, eff. July 1, 2017.

T. C. A. § 2-10-131, TN ST § 2-10-131

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-132

§ 2-10-132. Political campaign committee; reports

Effective: July 1, 2022

Currentness

(a) Notwithstanding any law to the contrary, a corporation that uses corporate funds, moneys or credits for communications expressly advocating the election or defeat of a clearly identified candidate which funds, moneys or credits are not used with the cooperation or with the prior consent of, or in consultation with, or at the request of, or suggestion of, a candidate or any agent or authorized committee of the candidate shall be considered a political campaign committee for purposes of reporting such expenditures. The corporation shall be required to file reports required by § 2-10-105(c)(1) and an appointment of treasurer form.

(b)(1) Notwithstanding another law to the contrary, an organization that is tax exempt under United States Internal Revenue Service Code § 501(c)(4), (5), or (6) (26 U.S.C. § 501(c)(4), (5), or (6)) is required to report expenditures in accordance with § 2-10-105(c)(1) and (h) during the remainder of an election year and certify the name and address of any person who directly controls such expenditures along with any such person's evidence of identification as defined in § 2-10-105(e)(3)(C) to the registry of election finance if:

(A) The organization expends an aggregate total of at least five thousand dollars (\$5,000) in organizational funds, moneys, or credits for communications that expressly contain the name or visually depict the likeness of a state candidate in a primary or general election; and

(B) Such expenditures or communications occur within sixty (60) calendar days immediately preceding a primary or general election in which the named or visually depicted candidate appears on the ballot.

(2) This subsection (b) does not require an organization that is tax exempt under United States Internal Revenue Service Code § 501(c)(4), (5), or (6) (26 U.S.C. § 501(c)(4), (5), or (6)) to report any form of contributions.

(3) As used in this subsection (b), “communications” does not include:

(A) Any communication by any membership organization solely to its members, employees, or to any person who has expressly consented to receiving communications from the organization;

(B) Any communication made prior to the period described in subdivision (b)(1)(B) but that remains accessible during the period; provided, that such communication is not actively promoted or distributed by the organization within the period to the public at large excluding any person described in subdivision (b)(3)(A); or

(C) Any communication made to an official in the legislative branch or an official in the executive branch during any session of the general assembly.

**Credits**

2010 Pub.Acts, c. 1095, § 4, eff. June 23, 2010; 2022 Pub.Acts, c. 1087, § 13, eff. July 1, 2022.

T. C. A. § 2-10-132, TN ST § 2-10-132

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 1. Financial Disclosure

T. C. A. § 2-10-133

§ 2-10-133. Continuing contribution limitations

Effective: May 27, 2022

Currentness

A candidate or political campaign committee, in soliciting and receiving a contribution from a person, shall not utilize pre-checked or pre-marked boxes in a solicitation authorizing or requiring continuing future contributions to that candidate or committee from the credit card or another form of payment provided by the person from whom a contribution is requested. Such a request for a continuing future contribution from a potential contributor must be accepted and acknowledged in writing by the potential contributor in clear and precise language evidencing the intent of the contributor to authorize a continuing contribution. Such continuing contributions must not exceed the contribution limits established in part 3 of this chapter.

**Credits**

2022 Pub.Acts, c. 1087, § 26, eff. May 27, 2022.

T. C. A. § 2-10-133, TN ST § 2-10-133

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-201

§ 2-10-201. Short title

Currentness

This part shall be known and may be cited as the “Registry of Election Finance Act of 1989.”

**Credits**

1989 Pub.Acts, c. 585, § 1.

T. C. A. § 2-10-201, TN ST § 2-10-201

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-202

§ 2-10-202. Legislative intent

Currentness

It is the intent of the general assembly to provide adequate financial disclosure by public officials, candidates for public office, and lobbyists. Furthermore, it is the intent of the general assembly to establish a registry of election finance to ensure enforcement of these statutes.

**Credits**

1989 Pub.Acts, c. 585, § 2.

T. C. A. § 2-10-202, TN ST § 2-10-202

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-203

§ 2-10-203. Creation; members

Effective: July 1, 2022

Currentness

(a)(1) There is created as a division of the bureau of ethics and campaign finance, as provided in title 4, chapter 55, a Tennessee registry of election finance. The registry shall be composed of six (6) members appointed as provided in this section.

(2) Appointments shall be made to reflect the broadest possible representation of Tennessee citizens. Of the six (6) members appointed, at least one (1) shall be a female and one (1) shall be black. However, a black female shall not satisfy the requirement of one (1) female and one (1) black. Each member shall have been a legal resident of this state for five (5) years immediately preceding selection. Members shall be at least thirty (30) years of age, registered voters in Tennessee, not announced candidates for public office, not members of a political party's state executive committee, shall not have been convicted of an election offense, and shall be persons of high ethical standards who have an active interest in promoting fair elections. Gubernatorial appointees shall be subject to confirmation by joint resolution of the general assembly. Such appointees shall have full power to serve until any vote of nonconfirmation.

(b) The members of the registry of election finance shall also serve as members of the board of directors of the bureau of ethics and campaign finance.

(c) Members of the registry shall be selected for staggered five-year terms as follows:

(1) The governor shall appoint two (2) members. One (1) member shall be appointed from a list of three (3) nominees submitted by the state executive committee of the majority party. One (1) member shall be appointed from a list of three (3) nominees submitted by the state executive committee of the minority party. The governor's solicitations and the replies shall be public records. The governor shall give due consideration to such nominations. The governor may request a second list of nominees; provided, however, no nominees from the original list of nominees may appear on the second list of nominees.

(2) The senate shall appoint two (2) members, with one (1) member to be chosen by the members of the senate democratic caucus and one (1) member to be chosen by the members of the senate republican caucus. The registry is required to notify in writing the appropriate caucus and speaker of the senate within a reasonable time upon the expiration of a member's term or a vacancy occurring. If either caucus fails to appoint a member within sixty (60) days after receiving written notice of a vacancy from the registry or after receiving written notice of the expiration of a term from the registry, the speaker of the senate shall appoint a democrat or republican, as applicable, to fill the vacancy or make the appointment; and

(3) The house of representatives shall appoint two (2) members, with one (1) member to be chosen by the members of the house of representatives democratic caucus and one (1) member to be chosen by the members of the house of representatives republican caucus. The registry is required to notify in writing the appropriate caucus and speaker of the house of representatives within a reasonable time upon the expiration of a member's term or a vacancy occurring. If either caucus fails to appoint a member within sixty (60) days after receiving written notice of a vacancy from the registry or after receiving written notice of the expiration of a term from the registry, the speaker of the house of representatives shall appoint a democrat or republican, as applicable, to fill the vacancy or make the appointment.

(d) In the event of a vacancy, the respective appointing authority shall fill the vacancy for the unexpired term.

(e) The registry shall elect a chair from among its appointed membership. The chair shall serve in that capacity for one (1) year and shall be eligible for reelection. The chair shall preside at all meetings and shall have all the powers and privileges of the other members.

(f) The registry shall fix the place and time of its regular meetings by order duly recorded in its minutes. No action shall be taken without a quorum present. Special meetings shall be called by the chair on the chair's initiative or on the written request of four (4) members. Members shall receive seven (7) days' written notice of a special meeting, and the notice shall specify the purpose, time and place of the meeting, and no other matters may be considered, without a specific waiver by all the members.

(g) The members of the registry shall receive no compensation; provided, that each member of the registry shall be eligible for reimbursement for expenses and mileage in accordance with the regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(h) No member of the registry or such member's immediate family, as defined in § 3-6-301, shall, during registry membership:

(1) Be allowed to hold or qualify for elective office to any state or local public office, as defined in § 2-10-102;

(2) Be an employee of the state or any political subdivision of the state;

(3) Be an officer of any political party or political committee;

(4) Permit such person's name to be used or make campaign contributions in support of or in opposition to any candidate or proposition, except that a member's immediate family may make campaign contributions in support of or in opposition to any candidate or proposition;

(5) Participate in any way in any election campaign;

(6) Lobby or employ a lobbyist; or

(7) Be employed by any elected officeholder, either in an official capacity or as an individual, or be employed by any business in which an elected officeholder has any direct input concerning employment decisions.

(i) An incumbent member of the registry may seek votes for confirmation of the member's appointment to the registry; provided, that the member shall comply with subsection (h).

(j) Subsection (h) is applicable for one (1) year subsequent to the removal, vacancy, or termination of the term of office of a member of the registry.

(k)(1) Every member of the registry of election finance shall, before they proceed to business, take an oath or affirmation to support the constitution of this state and of the United States and the laws of this state and also the following oath:

“I \_\_\_ do solemnly swear (or affirm) that as a member of this registry of election finance, I will, in all matters, vote without favor, affection, partiality, or prejudice; and that I will not propose or assent to any action, measure, or resolution which shall appear to me to be contrary to law.”

(2) Unless otherwise provided by law, any member of the registry who violates the oath of office for that position or participates in any of the activities prohibited by this chapter commits a Class A misdemeanor. If a sworn allegation is made that a member has violated the oath of office for the member's position or has participated in any of the activities prohibited by this chapter, then upon a unanimous vote of the remaining members, the member against whom the sworn allegation is made may be suspended from the registry for such purposes and for such times as the remaining members shall unanimously determine, but no suspension shall extend beyond final disposition of the sworn allegation. The accused member shall not participate in the suspension vote. If a member of the registry is found guilty of or pleads guilty or nolo contendere to a violation of the oath of office for the member's position or participates in any of the activities prohibited by this chapter, then that member shall be deemed to be removed from office.

(l) Each regular meeting agenda must be published on the registry's website at least five (5) business days prior to the date of the meeting.

#### **Credits**

1989 Pub.Acts, c. 585, § 3; 1998 Pub.Acts, c. 1062, § 1, eff. May 19, 1998; 1998 Pub.Acts, c. 1082, § 1, eff. May 19, 1998; 1999 Pub.Acts, c. 119, § 1, eff. May 11, 1999; 2002 Pub.Acts, c. 470, § 3, eff. Feb. 15, 2002; 2006 Pub.Acts (1st Ex.Sess.), c. 1, §§ 21, 22, 24, 25, eff. Feb. 15, 2006; 2009 Pub.Acts, c. 556, §§ 7 to 9, eff. July 1, 2009; 2019 Pub.Acts, c. 78, § 1, eff. July 1, 2019; 2022 Pub.Acts, c. 1087, § 2, eff. May 27, 2022; 2022 Pub.Acts, c. 1087, §§ 14, 15, 30, eff. July 1, 2022.

T. C. A. § 2-10-203, TN ST § 2-10-203

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-204

§ 2-10-204. Repealed by 2009 Pub.Acts, c. 556, § 10, eff. July 1, 2009

Effective: July 1, 2009

Currentness

T. C. A. § 2-10-204, TN ST § 2-10-204

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-205

§ 2-10-205. Jurisdiction

Effective: August 14, 2008

Currentness

The registry has the jurisdiction to administer and enforce the following:

- (1) The Campaign Financial Disclosure Act, compiled in part 1 of this chapter; and
- (2) The Campaign Contribution Limits Act, compiled in part 3 of this chapter.

**Credits**

1989 Pub.Acts, c. 585, § 5; 1995 Pub.Acts, c. 531, § 4, eff. Jan. 1, 1996; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 10, eff. Feb. 15, 2006.

T. C. A. § 2-10-205, TN ST § 2-10-205

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-206

§ 2-10-206. Duties

Effective: January 1, 2024

Currentness

(a) The duties of the registry include the following:

(1) Develop prescribed forms for statements that are required to be filed under the laws pursuant to § 2-10-205, with the objective of making the disclosure statements as simple and understandable as possible for both the person filing the disclosure statement and the average citizen of the state of Tennessee;

(2) Develop a filing, coding and cross-indexing system;

(3) Make each report filed available for public inspection and copying during regular office hours at the expense of any person requesting copies of the same;

(4) Review all filed statements to ensure compliance with the respective disclosure laws. Statements filed with the registry for more than two (2) years shall be deemed to be sufficient, absent a showing of fraud or the existence of an ongoing investigation related to the statement;

(5) Prepare and publish a manual for all candidates and committees, describing the requirements of the law, including uniform methods of bookkeeping and reporting and requirements as to reporting dates and the length of time that candidates and committees are required to keep any records pursuant to this part;

(6) Provide an annual report to the governor and the general assembly concerning the administration and enforcement of the disclosure law by July 1 of each year that includes recommendations by the registry or a statement that the registry makes no recommendations;

(7) Investigate any alleged violation upon sworn complaint or upon its own motion. If the registry investigates the records of any selected candidate, it may also investigate the records of all other candidates running for the same office in the same district or other appropriate geographic area;

(8) Preserve all reports or statements for five (5) years from the date of filing, absent any pending investigation by the registry of election finance or any other law enforcement agency, or absent any administrative or court proceeding;

(9) Notify all candidates for state public office in a state election of the requirements for filing any required disclosure statement fourteen (14) days before any fixed deadline provided for such filing; and

(10) Conduct audits.

(b) The registry shall notify each member of the general assembly by sending notice to the member's home address and the member's legislative office address in Nashville.

#### **Credits**

1989 Pub.Acts, c. 585, § 6; 1991 Pub.Acts, c. 519, § 15; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 11, eff. Feb. 15, 2006; 2023 Pub.Acts, c. 108, § 9, eff. Jan. 1, 2024.

T. C. A. § 2-10-206, TN ST § 2-10-206

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-207

§ 2-10-207. Powers

Effective: July 10, 2014

Currentness

The registry of election finance has the following powers:

- (1) Hold hearings, conduct audits, subpoena witnesses, administer oaths, and compel production of books, correspondence, papers and other records;
- (2) Issue written advisory opinions concerning compliance with this chapter, which may be relied upon without threat of sanction with respect to the issue addressed by the opinion, if the candidate or committee conforms the candidate's or committee's conduct to the requirements of the advisory opinion. Such advisory opinions shall be posted on the website of the registry of election finance;
- (3) In determining whether an actual violation has occurred, conduct a contested case hearing;
- (4) Issue an appropriate order following a determination;
- (5) Assess a late filing fee of twenty-five dollars (\$25.00) per day up to a maximum total penalty of seven hundred fifty dollars (\$750);
- (6) Assess a civil penalty for any violation of the disclosure laws as provided by this part. Civil penalties may be assessed for any violation of the Campaign Financial Disclosure Act, compiled in part 1 of this chapter, and the Campaign Contribution Limits Act, compiled in part 3 of this chapter; provided, that the registry shall only have the power to assess a civil penalty after notice and opportunity for hearing; and
- (7) Where the results of its investigation indicate a criminal act may have occurred, the registry shall refer the matter to the appropriate district attorney general for criminal prosecution.

**Credits**

1989 Pub.Acts, c. 585, § 7; 1990 Pub.Acts, c. 1049, § 3; 1992 Pub.Acts, c. 988, § 3; 1995 Pub.Acts, c. 531, §§ 5 to 7, eff. Jan. 1, 1996; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 12, eff. Feb. 15, 2006; 2009 Pub.Acts, c. 556, § 11, eff. July 1, 2009.

T. C. A. § 2-10-207, TN ST § 2-10-207

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-208

§ 2-10-208. Applicability

Effective: July 10, 2014

Currentness

(a) All political accounts or funds subject to Tennessee law on January 1, 1990, shall become subject to this part.

(b) For the purposes of enforcement, this part shall be prospective only, and the registry shall limit its investigations to acts or omissions which occur after January 1, 1990.

**Credits**

1989 Pub.Acts, c. 585, § 30.

T. C. A. § 2-10-208, TN ST § 2-10-208

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-209

§ 2-10-209. Enforcement

Effective: May 4, 2021

Currentness

(a) The registry has the authority to petition the chancery court through the attorney general and reporter for enforcement of any order it has issued. The court's order of enforcement has the same force and effect as a civil judgment.

(b) Notwithstanding any law to the contrary, the registry may, in lieu of filing the petition through the attorney general and reporter, retain private outside counsel to pursue the collection of unpaid civil penalties assessed by order of the registry. The venue for such a suit is the county in which the defendant resides.

#### **Credits**

1989 Pub.Acts, c. 585, § 8; 2021 Pub.Acts, c. 302, § 1, eff. May 4, 2021.

T. C. A. § 2-10-209, TN ST § 2-10-209

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-210

§ 2-10-210. Penalties or sanctions

Currentness

The registry of election finance shall not establish or levy any penalty or sanction for any action alleged to be a violation of the rules and regulations of the registry unless such action is also a violation of a statutory requirement.

**Credits**

1992 Pub.Acts, c. 988, § 4.

T. C. A. § 2-10-210, TN ST § 2-10-210

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-211

§ 2-10-211. Electronic filing

Effective: June 11, 2020

Currentness

(a) The registry of election finance, notwithstanding any other law to the contrary, shall do all of the following:

(1) Develop, with the advice, assistance and approval of the division of strategic technology solutions, an internet-based electronic filing process for use by all candidates for state public office and all political campaign committees that are required to file statements and reports with the registry of election finance;

(2) Develop, with the advice, assistance and approval of the division of strategic technology solutions, a system that provides each candidate and campaign committee with secure access to the electronic filing system. The system shall provide safeguards against efforts to tamper or change the data in any way;

(3) Provide training to candidates and campaign committees on the use of the electronic filing system;

(4) Develop, with the advice, assistance and approval of the division of strategic technology solutions, a system that will forward a copy of any candidate's report that is filed electronically with the registry of election finance to the appropriate local county election commission; and

(5) Provide public access to a list of campaign contributions made to candidates and a list of expenditures made by those candidates by posting the lists on the Internet. In addition, the registry shall provide assistance to anyone seeking to access this information on the internet. Beginning with the 2006 regular August election, campaign contribution lists shall be made available on the Internet after a candidate has filed the information and the registry has reviewed the statements for accuracy and timeliness. If a candidate has not timely filed campaign contribution lists, then the registry shall post on the Internet that the candidate's statement is delinquent.

(b) The registry of election finance, once the development of the electronic filing system is completed and tested, shall provide public notice that the system is operational and available for filers to commence use.

(c) The registry of election finance shall, with the advice, assistance and approval of the division of strategic technology solutions, implement the electronic filing system for use in the 2006 regular August election and all subsequent state elections. Candidates for state public offices and campaign committees may commence electronic filing for any state election beginning in the year 2006 and after notice has been given pursuant to subsection (b), and may continue to file electronically all reports for



any subsequent state elections. Beginning in July 2006, candidates for state public offices and campaign committees, who have contributions or expenditures in excess of one thousand dollars (\$1,000) per reporting period, shall file electronically all reports for any subsequent state elections. Failure to timely file reports electronically may be penalized as provided in § 2-10-110.

(d) All information entered by any candidate or campaign committee into the electronic filing system shall remain confidential until the information is filed with the registry of election finance.

**Credits**

2003 Pub.Acts, c. 414, § 1, eff. July 1, 2003; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 13, eff. Feb. 15, 2006; 2020 Pub.Acts, c. 690, § 1, eff. June 11, 2020.

T. C. A. § 2-10-211, TN ST § 2-10-211

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-212

§ 2-10-212. Audits and investigations

Effective: July 1, 2022

Currentness

(a) The registry of election finance shall conduct audits and field investigations of reports and statements filed with the registry as follows:

(1) Each gubernatorial candidate and that candidate's committees that receive at least ten percent (10%) of the vote at the general election shall be audited;

(2) Each candidate for the general assembly and such candidate's committees shall be subject to an audit by the registry on a random selection of districts in an election. Districts shall be randomly drawn until a total of approximately four percent (4%) of all candidates for the general assembly have been selected. Notwithstanding any law to the contrary, for any audit conducted by the registry under this subdivision (a)(2), the registry shall only conduct the audit for the immediately preceding election cycle and shall not require the production or disclosure of, or consider for purposes of the audit, any information or documents relating to any other election cycle; and

(3) Each candidate for supreme court, court of appeals and court of criminal appeals shall be subject to an audit by the registry on a random selection. One (1) candidate from each of the supreme court, court of appeals and court of criminal appeals shall be randomly selected by the registry to be audited each election cycle.

(b)(1)(A) The registry shall select by lot the districts to be audited on a random basis regarding candidates for the general assembly. For judicial offices, the registry shall select by lot the names of candidates to be audited on a random basis.

(B) The selection shall be after the last date for filing the first report or statement following the general election for which the candidate ran or for which the committee donated money. The attorney general and reporter, or the attorney general's designee, shall attend the random selection to preserve the integrity of the proceeding.

(2) No audit or investigation of any candidate or candidate's committee in connection with a report or statement required by this chapter shall begin until after the last date for filing the first report or statement following the general election for the office for which the candidate ran. When the campaign statements or reports of a candidate are audited and investigated, the audit and investigation shall cover all campaign statements and reports filed for the primary and general elections and any previous campaign statement or report filed since the last election for that office, but shall exclude any statements or reports that have previously been audited.

(3) Audits of members of the general assembly shall only take place during June through December during odd-numbered years. The registry shall strive to complete and release its findings within such odd-numbered year or another odd-numbered year.

(c) In order to comply with an audit, candidates, campaigns, and political campaign committees shall retain copies of all checks, money orders, wire or account transfer statements, withdrawal statements, credit or debit statements, bank statements, vendor receipts, and other documentation directly resulting from a financial transaction involving the receipt or disbursement of any funds subject to disclosure under part 1 of this chapter for two (2) years after the date of the election to which the records refer.

(d)(1) The registry shall adopt auditing guidelines and standards with guidance from the comptroller of the treasury, which shall govern audits and field investigations conducted under this section. The guidelines and standards shall be formulated to accomplish the following purposes:

(A) The audits should encourage compliance and detect violations of this chapter;

(B) The audits should be conducted with maximum efficiency in a cost-effective manner; and

(C) The audits should be as unobtrusive as possible, consistent with the purposes provided in this subdivision (d)(1).

(2) In adopting its guidelines and standards, the registry shall consider relevant guidelines and standards of the American Institute of Certified Public Accountants to the extent such guidelines and standards are applicable and consistent with the purposes set forth in this section.

(e) The detailed information received pursuant to this section for an audit shall be considered working papers of the registry of election finance and is, therefore, confidential and not an open record pursuant to title 10, chapter 7.

(f) After the completion and approval of an audit by the registry, the registry shall post any finding that could result in an assessment of significant penalties on the registry's website, except that audits of candidates defeated in the primary election shall not be made public until after the general election.

(g) Failure to comply with an audit investigation under this section is a Class 2 offense as defined in § 2-10-110.

(h) Notwithstanding this section, any candidate running for the office of governor more than one (1) year prior to the general election may elect to do self-audits. Such audits shall be given to the registry and the registry may give the candidate a letter of compliance stating the audit is complete and acceptable.

(i)(1) Notwithstanding this section, if any candidate files a contribution statement with more than thirty percent (30%) of the candidate's contributions reported as unitemized contributions and such contributions total more than five thousand dollars (\$5,000), then the candidate's contributions shall automatically be audited by the registry.

(2) Subdivision (i)(1) does not apply to reports covering periods beginning on and after January 16, 2023.

(3) Beginning with reports covering periods beginning on and after January 16, 2023, if any candidate files a contribution statement with more than thirty percent (30%) of the candidate's contributions reported as unitemized contributions, then the candidate's contributions shall automatically be audited by the registry.

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 14; 2017 Pub.Acts, c. 479, § 1, eff. June 6, 2017; 2022 Pub.Acts, c. 1087, §§ 9, 16, eff. July 1, 2022.

T. C. A. § 2-10-212, TN ST § 2-10-212

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-213

§ 2-10-213. Power to administer oaths; subpoenas

Currentness

(a)(1) For the purpose of conducting any hearing or audit as provided in this chapter, the registry has the power to administer oaths, to call any party to testify under oath at the hearings, to require the attendance of witnesses, the production of books, records, and papers, and to take the depositions of witnesses.

(2) For purposes of subdivision (a)(1), the registry is authorized to issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records or papers. These subpoenas may be served by registered mail, return receipt requested, to the addressee's business mailing address, or by personnel of the registry, or shall be directed for service to the sheriff of the county where the witness resides or is found, or where the person in custody of any books, records, or papers resides or is found.

(b) In case of a refusal to obey a subpoena issued to any person under subsection (a), any circuit or chancery court of this state within the jurisdiction in which the person refusing to obey the subpoena is found or resides may issue to the person, upon application by the registry, an order requiring the person to appear before the court to show cause why the person should not be held in contempt for refusal to obey the subpoena. Failure to obey a subpoena may be punished by the court as a contempt of court.

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 15, eff. Feb. 15, 2006.

T. C. A. § 2-10-213, TN ST § 2-10-213

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 2. Registry of Election Finance

T. C. A. § 2-10-214

§ 2-10-214. Training program

Effective: July 10, 2014

Currentness

(a) A person who is appointed to the registry of election finance may not vote, deliberate, or be counted as a member in attendance at a meeting of the registry until the person completes a training program provided by the office of the attorney general and reporter that complies with this section. This section shall not apply to members who are reappointed to the registry.

(b) The training program shall provide the person with information regarding:

(1) The legislation that created the registry;

(2) The role and function of the registry;

(3) The rules of the registry, with an emphasis on the rules that relate to disciplinary and investigatory authority;

(4) The current budget for the registry;

(5) The results of the most recent formal audit of the registry;

(6) The requirements of the campaign finance laws administered and enforced by the registry; and

(7) Any applicable policies adopted by the registry.

(c) A person appointed to the registry is entitled to reimbursement for expenses incurred in attending the training program.

(d) This section shall apply prospectively to members appointed to the registry after February 15, 2006.

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 20, eff. Feb. 15, 2006.

T. C. A. § 2-10-214, TN ST § 2-10-214

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-301

§ 2-10-301. Short title; administration and enforcement

Effective: July 10, 2014

Currentness

- (a) This part shall be known and may be cited as the “Campaign Contribution Limits Act of 1995.”
- (b) The registry of election finance has jurisdiction to administer and enforce this part.

**Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996.

T. C. A. § 2-10-301, TN ST § 2-10-301

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-302

§ 2-10-302. Contribution limitations

Effective: January 1, 2024

Currentness

(a) No person shall make contributions to any candidate with respect to any election which, in the aggregate, exceed:

(1) For an office elected by statewide election, two thousand five hundred dollars (\$2,500); or

(2) For any other state or local public office, one thousand dollars (\$1,000).

(b) No multicandidate political campaign committee shall make contributions to any candidate with respect to any election which, in the aggregate, exceed:

(1) For an office elected by statewide election, the senate, or the house of representatives, seven thousand five hundred dollars (\$7,500); and

(2) For any other state or local public office, five thousand dollars (\$5,000).

(c)(1) With respect to contributions from multicandidate political campaign committees for each election:

(A) No candidate for an office elected by statewide election shall accept in the aggregate more than fifty percent (50%) of the candidate's total contributions from multicandidate political campaign committees; and

(B) No candidate for any other state or local public office shall accept in the aggregate more than seventy-five thousand dollars (\$75,000) from multicandidate political campaign committees.

(2) In determining the aggregate limits established by this subsection (c), contributions made to a candidate by a committee controlled by a political party on the national, state, or local level or by a caucus of such political party established by members of either house of the general assembly are not included.

(d)(1) Each contribution limit established in subsection (a), (b) or (c) shall be adjusted to reflect the percentage of change in the average consumer price index (all items-city average), as published by the United States department of labor, bureau of labor

statistics, for the period of January 1, 1996, through December 31, 2010. Each such adjustment shall be rounded to the nearest multiple of one hundred dollars (\$100). The registry of election finance shall publish each such adjusted amount on its website.

(2) On January 1, 2013, and every two (2) years thereafter, each contribution limit established in subsection (a), (b) or (c), as adjusted pursuant to subdivision (d)(1), shall be further adjusted to reflect the percentage of change in the average consumer price index (all items-city average), as published by the United States department of labor, bureau of labor statistics, for the two-year period immediately preceding. Each such adjustment under this subdivision (d)(2) shall be rounded to the nearest multiple of one hundred dollars (\$100). The registry of election finance shall publish each such adjusted amount on its website.

(e)(1) A candidate for state or local public office, or an elected state or local public office holder, shall not accept a contribution with respect to an election in excess of the loans and obligations outstanding from such election after the close of the reporting period following the date of the election, not including the reporting period in which the election occurs. A successful candidate for state or local public office who reports no outstanding loans or obligations may continue to accept contributions for the purpose of defraying officeholder expenses until the close of the reporting period following the date of the election, not including the reporting period in which the election occurs.

(2) Beginning with the reporting period following the date of the election, not including the reporting period in which the election occurs, a candidate for state or local public office reporting an unexpended balance or an outstanding loan or obligation who has not affirmatively created a new campaign account for the next election shall, in addition to the reporting requirements established by §§ 2-10-105 and 2-10-107, file a complete copy of the candidate's campaign account banking statements corresponding to the full term of the reporting period with the registry or local election commission, as applicable. Such banking statements must continue to be filed by the candidate for each required reporting period until such time as the candidate no longer possesses an unexpended balance of funds or an outstanding loan or obligation, or until such time as the candidate transfers such funds, loans, or obligations to another campaign fund for a subsequent election pursuant to § 2-10-114(a)(1), whichever occurs earlier. A failure to file the required banking statements is a Class 2 offense as defined by § 2-10-110(a)(2).

(3) This subsection (e) does not:

(A) Prevent a candidate who is a candidate in the general election from paying primary election loans and obligations with funds that represent contributions made with respect to the general election; or

(B) Prevent a candidate who is a candidate in a run-off election from paying loans and obligations with respect to the previous election with funds that represent contributions made with respect to the run-off election.

(f)(1) Contributions received by a candidate must be attributed to the appropriate election, and reported accordingly, in accordance with the following criteria:

(A) In the case of a contribution designated in writing by the contributor for a particular election, the election so designated; and

(B) In the case of a contribution not designated in writing by the contributor for a particular election, the next election after the contribution is made.

(2) A contribution designated in writing for a particular election, but made after that election, must be made only to the extent that the contribution does not exceed the contribution limits from such election. To the extent that such contribution exceeds the contribution limits from such election, the candidate shall either return the contribution to the contributor or obtain written authorization from the contributor to redesignate the contribution to another election within sixty (60) calendar days of the receipt of the contribution.

(g)(1) A contribution made by more than one (1) person, except for a contribution made by a partnership, must include the signature of each contributor on the check, money order, or other negotiable instrument or in a separate writing. If a contribution made by more than one (1) person does not indicate the amount to be attributed to each contributor, the contribution is deemed to be attributed equally to each contributor.

(2) The limitations on contributions in this section apply separately to contributions made by spouses, even if only one (1) spouse has income; provided, that each spouse signs the check, money order, or other negotiable instrument or the separate contributions are designated in writing by the contributing spouses as being independent contributions. Contributions made from an account shared by spouses, regardless of the type of account, must be presumed to be made by the individual authorizing the contribution alone, absent the written designation of independent contributions.

(h) The limitations of this section apply separately with respect to each election. An election in which a candidate is unopposed is a separate election for the purposes of the limitations on contributions in this section.

#### **Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996; 2003 Pub.Acts, c. 416, § 1, eff. June 24, 2003; 2011 Pub.Acts, c. 389, § 4, eff. June 1, 2011; 2021 Pub.Acts, c. 487, § 4, eff. May 18, 2021; 2023 Pub.Acts, c. 108, § 10, eff. Jan. 1, 2024.

T. C. A. § 2-10-302, TN ST § 2-10-302

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-303

§ 2-10-303. Determination of contributions

Currentness

For purposes of the limitations contained in this part:

- (1) Contributions made to any political campaign committee authorized by a candidate to accept contributions on the candidate's behalf shall be considered to be contributions made to such candidate;
- (2) Contributions made by a political campaign committee authorized by a candidate to make expenditures on the candidate's behalf shall be considered contributions made by such candidate;
- (3) All contributions made by a person, either directly or indirectly, on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate, shall be treated as contributions from such person to such candidate. The intermediary or conduit shall report the original source and the intended recipient of such contribution to the registry of election finance and to the intended recipient;
- (4) All contributions made by affiliated political campaign committees shall be considered to have been made by a single committee; and
- (5) Expenditures made by any person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, the candidate's political campaign committees, or their agents, shall be considered to be a contribution to such candidate. For purposes of this subdivision (5), the financing by any person of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, the candidate's political campaign committees, or their authorized agents shall be considered to be an expenditure.

**Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996.

T. C. A. § 2-10-303, TN ST § 2-10-303

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-304

§ 2-10-304. Loans

Effective: July 10, 2014

Currentness

(a) The limitations contained in this part do not apply to any loan of money by a financial institution as defined in § 45-10-102 that:

(1) Is made in accordance with applicable law and in the ordinary course of business;

(2) Is made on a basis reasonably designed to assure repayment, evidenced by a written instrument, and subject to a payment due date or amortization schedule; and

(3) Bears the usual and customary interest rate of the lending institution.

(b) An endorsement or guaranty of a loan made pursuant to subsection (a) shall be considered a contribution in the amount of the endorsement or guaranty and shall be subject to the limitations contained in this part. Where the written instrument does not specify the portion of the loan for which the endorser or guarantor is liable, each endorser or guarantor shall be considered to have made a contribution in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors.

#### **Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996.

T. C. A. § 2-10-304, TN ST § 2-10-304

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-305

§ 2-10-305. Application of part

Currentness

The limits contained in this part do not apply to:

- (1) The retention of funds by a candidate pursuant to § 2-10-114(a)(1);
- (2) The transfer of funds by a candidate pursuant to § 2-10-114(a)(1) to a campaign fund of the same candidate for election to a different state or local public office; or
- (3) The transfer of funds by a candidate for election to a federal office to a campaign fund of the same candidate for election to a state or local public office.

**Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996.

T. C. A. § 2-10-305, TN ST § 2-10-305

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-306

§ 2-10-306. Contributions by political campaign committees

Effective: June 1, 2011

Currentness

(a) All contributions made by political campaign committees controlled by a political party on the national, state, or local level or by a caucus of such political party established by members of either house of the general assembly shall be considered to have been made by a single committee. Such contributions shall not, in the aggregate, exceed:

(1) Two hundred fifty thousand dollars (\$250,000) per election to any candidate in a statewide election;

(2) Forty thousand dollars (\$40,000) per election to any candidate for the senate; and

(3) Twenty thousand dollars (\$20,000) per election to any candidate for any other state or local public office.

(b) For purposes of this section, “contributions” does not include:

(1) Payment of the costs of preparation, display or mailing or other distribution with respect to printed slate cards, sample ballots, or other printed listings of three (3) or more candidates who are opposed for election. This exemption does not apply to costs incurred with respect to the preparation and display of listings made on broadcasting stations or in newspapers, magazines and similar types of general public political advertising such as billboards;

(2) Payment of the costs of voter registration and get-out-the-vote activities conducted by party committees, unless the payments are made on behalf of a clearly identified candidate and the payment can be directly attributed to that candidate;

(3) Expenditures for rent, personnel, overhead, general administrative, fundraising, and other day-to-day costs of party committees, unless the expenditures are made on behalf of a clearly identified candidate and the expenditure can be directly attributed to that candidate; or

(4) Expenditures for education campaign seminars and for training of campaign workers, unless the expenditures are made on behalf of a clearly identified candidate and the expenditure can be directly attributed to that candidate.

(c)(1) Each contribution limit established in subsection (a) shall be adjusted to reflect the percentage of change in the average consumer price index (all items-city average), as published by the United States department of labor, bureau of labor statistics,



for the period of January 1, 1996, through December 31, 2010. Each such adjustment shall be rounded to the nearest multiple of one hundred dollars (\$100). The registry of election finance shall publish each such adjusted amount on its website.

(2) On January 1, 2013, and every two (2) years thereafter, each contribution limit established in subsection (a), as adjusted pursuant to subdivision (c)(1), shall be further adjusted to reflect the percentage of change in the average consumer price index (all items-city average), as published by the United States department of labor, bureau of labor statistics, for the two-year period immediately preceding. Each such adjustment under this subdivision (c)(2) shall be rounded to the nearest multiple of one hundred dollars (\$100). The registry of election finance shall publish each such adjusted amount on its website.

#### **Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996; 2011 Pub.Acts, c. 389, § 5, eff. June 1, 2011.

T. C. A. § 2-10-306, TN ST § 2-10-306

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-307

§ 2-10-307. Prohibition on accepting contributions

Effective: July 10, 2014

Currentness

(a) No candidate or political campaign committee shall accept any contribution or make any expenditure in violation of this part. No officer or employee of a political campaign committee shall accept a contribution made for the benefit or use of a candidate, or make any expenditure on behalf of a candidate, in violation of any limitation imposed on contributions and expenditures under this section.

(b) In keeping with the federal law, a contribution made or accepted in excess of the limitations established by this part shall not be a violation of this part if the candidate or the political campaign committee returns or refunds the contribution to the person who made the contribution within sixty (60) days of the candidate's or committee's receipt of the contribution.

**Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996.

T. C. A. § 2-10-307, TN ST § 2-10-307

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-308

§ 2-10-308. Penalties

Effective: April 4, 2023

Currentness

(a) The registry of election finance may impose a maximum civil penalty for a violation of this part of not more than ten thousand dollars (\$10,000) or one hundred fifteen percent (115%) of the amount of all contributions made or accepted in excess of the limitations established by this part, whichever is greater.

(b) Penalties imposed under this part shall be deposited into the state general fund.

(c) To request a waiver, reduction, or to contest a penalty imposed by the registry of election finance pursuant to this part, a person or political campaign committee shall file a petition with the registry of election finance. Such petition may be considered as a contested case proceeding under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. In any such contested case proceeding, the person or political campaign committee bears the burden of proof to establish that the person or committee's conduct complied with this part.

(d) If a civil penalty lawfully assessed against a candidate is not paid within thirty (30) days after the assessment becomes final, the candidate shall be ineligible to qualify for election to any state or local public office until such penalty is paid.

(e) If a civil penalty lawfully assessed and all lawfully assessed costs attendant to the penalty against a political campaign committee are not paid within thirty (30) calendar days after the assessment becomes final:

(1) The political campaign committee owing the civil penalty shall not receive contributions; make expenditures to support or oppose candidates; or make expenditures to other political campaign committees. The treasurer and officers of such delinquent political campaign committee shall not create another political campaign committee or serve as a treasurer or an officer for another political campaign committee until such penalty and all costs attendant to the penalty are paid in full; and

(2) The treasurer and the officers of the political campaign committee listed on the forms on file with the registry pursuant to § 2-10-105(e) at the time the conduct that gave rise to the civil penalty occurred are ineligible to qualify for election to a state or local public office until the penalty is paid.

**Credits**

1995 Pub.Acts, c, 531, § 1, eff. Jan. 1, 1996; 2021 Pub.Acts, c. 487, § 2, eff. May 18, 2021; 2023 Pub.Acts, c. 108, § 11, eff. April 4, 2023.

T. C. A. § 2-10-308, TN ST § 2-10-308

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-309

§ 2-10-309. Reliance on federal law

Currentness

In determining issues arising in regard to this part, the registry may rely on the precedents established under the federal law.

**Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996.

T. C. A. § 2-10-309, TN ST § 2-10-309

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-310

§ 2-10-310. Time limitations on contributions

Effective: April 4, 2023

Currentness

(a)(1) Except as provided in subdivisions (a)(2) and (a)(3), from the convening of the general assembly in organizational session through the earlier of the last day of regular session or June 1 in odd years, and from the convening of the general assembly in regular session to the earlier of May 15 or the conclusion of the annual session in even years, and from the convening of the general assembly in any extraordinary session through the conclusion of such extraordinary session, no member of the general assembly or a member's campaign committee or the governor or the governor's campaign committee shall conduct a fundraiser or solicit or accept contributions for the benefit of the caucus, any caucus member or member or candidate of the general assembly or governor.

(2)(A) During such period, a member of the general assembly who is a candidate for a local public office shall be permitted to conduct fundraising events and solicit or accept contributions for such campaign for local public office only under the following conditions:

- (i) Such fundraising events may be held only in the county in which such member is a candidate for local public office;
- (ii) Solicitations and acceptance of contributions for such purposes may only be made from individuals residing in such county;
- (iii) Such fundraising events shall not be held, nor contributions be solicited nor accepted, on state property;
- (iv) The member shall not be permitted to solicit or accept, directly or indirectly, any actual or in-kind contribution during such period from a lobbyist or employer of a lobbyist; and
- (v) No other member of the general assembly or the campaign committee of such other member shall be permitted to solicit or accept contributions during such period for the member campaigning for local public office.

(B) It shall be unlawful for any lobbyist or employer of a lobbyist to make any contribution to such member's campaign committee during such period for any purpose.

(3) All contributions raised as a result of fundraising or a fundraising event authorized and held in accordance with subdivision (a)(2) shall be reported on a form prescribed and provided by the registry of election finance for such purposes. Such form shall be filed with and attached to the applicable campaign finance disclosure report. The following disclosures shall be made on such form:

(A) The amount of contributions collected as a result of such fundraising event;

(B) The date and place such fundraising event was held;

(C) The dates on which such contributions were accepted; and

(D) All other information required by law to be reported on a campaign financial disclosure report.

(b) From the convening of the general assembly in organizational session through the earlier of the last day of regular session or June 1 in odd years, and from the convening of the general assembly in regular session to the earlier of May 15 or the conclusion of the annual session in even years, and from the convening of the general assembly in any extraordinary session through the conclusion of such extraordinary session, a political campaign committee controlled by a political party on the national, state, or local level, or controlled by a caucus of such political party established by members of either house of the general assembly, or established or controlled by any member of the general assembly, that makes contributions to a candidate for the general assembly or governor for election or to defray the expenses of such person's office shall not conduct a fundraiser, solicit or accept contributions for the benefit of the caucus, any caucus member or candidate for the general assembly or governor.

(c) Deleted by 2023 Pub.Acts, c. 108, § 8, eff. April 4, 2023.

#### **Credits**

1995 Pub.Acts, c. 531, § 1, eff. Jan. 1, 1996; 1998 Pub.Acts, c. 1062, § 7, eff. May 19, 1998; 2002 Pub.Acts, c. 470, § 1, eff. Feb. 15, 2002; 2006 Pub.Acts (1st Ex.Sess.), c. 1, §§ 17, 18, eff. Feb. 15, 2006; 2011 Pub.Acts, c. 389, § 7, eff. June 1, 2011; 2023 Pub.Acts, c. 108, § 8, eff. April 4, 2023.

#### **T. C. A. § 2-10-310, TN ST § 2-10-310**

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-311

§ 2-10-311. Cash contribution limitations

Currentness

(a) No person shall make cash contributions to any candidate with respect to any election that, in the aggregate, exceed fifty dollars (\$50.00).

(b) No person shall make cash contributions to any political campaign committee or multicandidate political campaign committee with respect to any election that, in the aggregate, exceed fifty dollars (\$50.00).

(c) No political campaign committee or multicandidate political campaign committee shall make cash contributions to any candidate with respect to any election.

(d) No political campaign committee or multicandidate political campaign committee shall make cash contributions to any other political campaign committee or multicandidate political campaign committee with respect to any election.

**Credits**

2006 Pub.Acts (1st Ex.Sess.), c. 1, § 16, eff. Feb. 15, 2006.

T. C. A. § 2-10-311, TN ST § 2-10-311

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.



West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-312

§ 2-10-312. Campaign contribution limits for senate candidates--when reset

Effective: May 18, 2021

Currentness

Notwithstanding any other law to the contrary, with regard to any candidate for senate, the limits in § 2-10-302(b)(1) and (c)(1)(B) must reset every two (2) years in the same manner the house of representatives' limit resets; provided, however, that the candidate has a total of four (4) years to accumulate the total amount allowed by having the limit reset every two (2) years. Any candidate running for senate must have the same limits as any candidate in the same race who has accumulated limits under this section.

**Credits**

2021 Pub.Acts, c. 487, § 3, eff. May 18, 2021.

T. C. A. § 2-10-312, TN ST § 2-10-312

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 3. Campaign Contributions Limits

T. C. A. § 2-10-313

§ 2-10-313. Solicitation and acceptance of contributions by judicial candidates

Effective: March 18, 2022

Currentness

Notwithstanding any law to the contrary, a judicial candidate may personally solicit and accept campaign contributions.

**Credits**

2022 Pub.Acts, c. 668, § 1, eff. March 18, 2022.

T. C. A. § 2-10-313, TN ST § 2-10-313

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 4. Gubernatorial Inauguration Finance Disclosure

T. C. A. § 2-10-401

§ 2-10-401. Short title

Currentness

This part shall be known and may be cited as the “Gubernatorial Inauguration Finance Disclosure Act.”

**Credits**

2001 Pub.Acts, c. 458, § 1.

T. C. A. § 2-10-401, TN ST § 2-10-401

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 4. Gubernatorial Inauguration Finance Disclosure

T. C. A. § 2-10-402

§ 2-10-402. Definitions

Currentness

As used in this part, unless the context otherwise requires:

(1) “Contribution” means any advance, conveyance, deposit, distribution, transfer of funds, loan, loan guaranty, payment, gift, or subscription, of money or like thing of value, and any contract, agreement, promise or other obligation, whether or not legally enforceable, made for the purpose of defraying any expenses of a governor or governor-elect's inauguration or the celebration of a governor or governor-elect's inauguration;

(2) “Multicandidate political campaign committee” means a political campaign committee to support or oppose two (2) or more candidates for public office or two (2) or more measures; and

(3) “Person” means an individual, limited liability company, partnership, limited liability partnership, committee, association, labor organization or any other organization or group of persons, but does not mean a corporation or the executive officers or other representatives of a corporation.

**Credits**

2001 Pub.Acts, c. 458, § 1; 2006 Pub.Acts (1st Ex.Sess.), c. 1, § 5, eff. Feb. 15, 2006.

T. C. A. § 2-10-402, TN ST § 2-10-402

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 4. Gubernatorial Inauguration Finance Disclosure

T. C. A. § 2-10-403

§ 2-10-403. Establishment of gubernatorial inauguration expense fund

Currentness

Not later than thirty (30) days after being elected to the office of governor, the governor-elect shall establish a gubernatorial inauguration expense fund that shall be used to finance any event held for the purpose of celebrating the governor's inauguration. Such fund is subject to the contribution limits and reporting requirements provided in this part. Parts 1 and 3 of this chapter shall not apply to contributions made pursuant to this part.

**Credits**

2001 Pub.Acts, c. 458, § 1.

T. C. A. § 2-10-403, TN ST § 2-10-403

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 4. Gubernatorial Inauguration Finance Disclosure

T. C. A. § 2-10-404

§ 2-10-404. Contributions to fund

Currentness

(a) No person shall make contributions for the gubernatorial inauguration that, in the aggregate, exceed two thousand five hundred dollars (\$2,500).

(b) No multicandidate political campaign committee shall make contributions for the gubernatorial inauguration that, in the aggregate, exceed seven thousand five hundred dollars (\$7,500).

(c) No corporation or executive officers or other representatives of any corporation doing business within this state shall make contributions for the gubernatorial inauguration that, in the aggregate, exceed seven thousand five hundred dollars (\$7,500).

(d) The governor-elect may transfer funds from the governor-elect's campaign fund to the inauguration fund.

**Credits**

2001 Pub.Acts, c. 458, § 1.

T. C. A. § 2-10-404, TN ST § 2-10-404

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 4. Gubernatorial Inauguration Finance Disclosure

T. C. A. § 2-10-405

§ 2-10-405. Finance statement

Currentness

(a) The governor-elect shall file with the registry of election finance a statement of all contributions received and all expenditures made by or on behalf of the gubernatorial inauguration fund.

(b) A statement filed under this section shall consist of either:

(1) A statement that neither the contributions received nor the expenditures made during the period for which the statement is submitted exceeded one thousand dollars (\$1,000); or

(2) A statement setting forth:

(A) Under contributions, a list of all the contributions received, as follows:

(i) The statement shall list the full name and complete address of each person, multicandidate political campaign committee, or corporation contributing a total amount of more than five hundred dollars (\$500) during the period for which the statement is submitted, and the amount contributed by that person, multicandidate political campaign committee, or corporation. The statement shall include the date of the receipt of each contribution; and

(ii) The statement shall list as a single item the total amount of contributions of five hundred dollars (\$500) or less; and

(B) Under expenditures, a list of all expenditures made as follows:

(i) The statement shall list the full name and address of each person to whom a total amount of more than five hundred dollars (\$500) was paid during the period for which the statement is submitted, the total amount paid to that person, and the purpose thereof; and

(ii) The statement shall list the total amount of expenditures of five hundred dollars (\$500) or less each, by category, without showing the exact amount of or vouching for each such expenditure.

(c) The financial disclosure statement for contributions made up until thirty (30) days before any inauguration event shall be filed no later than ten (10) days before the governor's inauguration. The financial disclosure statement for all other contributions shall be filed no later than thirty (30) days after the governor's inauguration.

**Credits**

2001 Pub.Acts, c. 458, § 1.

T. C. A. § 2-10-405, TN ST § 2-10-405

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated  
Title 2. Elections  
Chapter 10. Campaign Finances (Refs & Annos)  
Part 4. Gubernatorial Inauguration Finance Disclosure

T. C. A. § 2-10-406

§ 2-10-406. Hold over funds; financial disclosure statement

Currentness

(a) The governor may hold over funds from the governor's first inauguration to be used in a second inauguration if the governor is re-elected. If the governor is either in a second term, chooses not to run for re-election or is not re-elected, the governor has ninety (90) days to donate any funds remaining in the gubernatorial inauguration fund to a 501(c)(3) nonprofit organization. The governor may request from the registry of election finance an extension of an additional sixty (60) days to donate such remaining funds.

(b) Once the funds have been donated as provided in subsection (a), a financial disclosure statement shall be filed with the registry of election finance disclosing who received such funds and the amount of such donation.

**Credits**

2001 Pub.Acts, c. 458, § 1.

T. C. A. § 2-10-406, TN ST § 2-10-406

Current with laws from the 2023 Regular Sess. and 1st Extraordinary Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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