
Tennessee

Voter Registration & Voter List Maintenance Guide

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State Guide to Voter Registration & Voter List Maintenance Statutes

This is a guide to your state's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

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CONTENTS:

[Who can I contact with election related questions?](#)

[How do I register to vote?](#)

[How do I cancel my voter registration?](#)

[How is voter list maintenance handled?](#)

[List of Voter Registration Status and their definitions](#)

Who can I contact with election related questions?

[Link to Elections Official](#)

Chief Elections Office:	Secretary of State—Division of Elections <u>Elections Division</u>
Physical Address:	312 Rosa L. Parks Avenue 7th Floor, Snodgrass Tower Nashville, TN 37243-1102
Mailing Address:	Office of the Secretary of State Division of Elections 312 Rosa L Parks Avenue 7th Floor, Snodgrass Tower Nashville, TN 37243-1102
Phone Number:	615-741-7956
Online Contact:	<u>https://sos.tn.gov/form/contact-elections</u>
County Election Commissions	<u>https://tnsos.org/elections/election_commissions.php</u>

How do I register to vote?

[Link to Register](#)
[Link to Statutes](#)

[2-2-102. Qualified voter — Citizenship requirement.](#)

(a) A citizen of the United States eighteen (18) years of age or older who is a resident of this state is a qualified voter unless the citizen is disqualified under this title or under a judgment of infamy pursuant to § 40-20-112.

[40-20-112. Judgment of infamy — Right of suffrage — Competency as a witness.](#)

Upon conviction for any felony, it shall be the judgment of the court that the defendant be infamous and be immediately disqualified from exercising the right of suffrage. No person so convicted shall be disqualified to testify in any action, civil or criminal, by reason of having been convicted of any felony, and the fact of conviction for any felony may only be used as a reflection upon the person's credibility as a witness.

How do I cancel my voter registration?

[Cancel Registration](#)
[Election Offices](#)

Once properly registered to vote in Tennessee, a person remains permanently registered unless the election commission has a statutory reason to remove the voter's name. T.C.A. 2-2-105 and 2-2-106.

Voters may request, in writing, to their local [county election commission office](#) to have their name removed from the rolls.

[2-2-106. Acts purging registration — Notice.](#)

(a) The registration of a person shall be purged:
(1) At the request of the voter;

How is voter list maintenance handled?

2-2-106. Acts purging registration — Notice.

(a) The registration of a person shall be purged:

- (1) At the request of the voter;
- (2) Ninety (90) days after a change of name for any reason, except by marriage or divorce;
- (3) If the voter dies;
- (4) Upon receiving information that a person has been convicted of an infamous crime as defined by § 40-20-112 from the state coordinator of elections, the district attorney general, United States attorney, clerk of the court that entered the conviction, or other source upon verification by the clerk of the convicting court; or
- (5) Upon written confirmation from the voter that the voter has changed the voter's address to an address outside the county of registration or has registered to vote in another jurisdiction.

(b) It is the responsibility of the county election commission to implement an address verification program to identify any voter who has changed the voter's address of residence without notifying the election commission. The address verification program shall conform to the intent of this section and this part and the National Voter Registration Act of 1993 (52 U.S.C. § 20501 et seq., formerly 42 U.S.C. § 1973gg et seq.). The county election commission shall complete the address verification process at least on a biennial basis, but may do so annually. The county election commission shall complete any such process no later than ninety (90) days before a federal election.

(c)

(1) To identify any voter who has changed the voter's address of residence without notifying the county election commission, the address verification program implemented by the county election commission under subsection

(b) may use any of the following, or any combination of the following, sources:

- (A) The return of mail sent by the county election commission to the voter at the voter's address of registration. The mail sent to the voter may include, without limitation, a non-forwardable verification card, a non-forwardable voter registration card, or a notice mailed pursuant to § 2-3-105 or § 2-5-211;
- (B) The United States postal service's national change of address service;
- (C) Information received from the coordinator of elections as a result of a comparison of voter registration addresses with the residential addresses of record with the department of safety. To conduct the comparison of residential addresses, the department of safety and the coordinator of elections may retrieve the data applicable to the voter's address of residence and match the voter's registration address with data applicable to the voter's matching record with the department of safety. The coordinator of elections may obtain from the department of safety a list of all persons who have surrendered their Tennessee driver license while obtaining a driver license from another state;
- (D) Information received from the coordinator of elections as a result of a comparison of voter registration addresses with the residential addresses of record with another state agency, including, but not limited to, state welfare and public assistance agencies. The coordinator of elections may compare the statewide voter registration database with those of other relevant state agencies and county records for this purpose; and
- (E) Information received from the coordinator of elections as a result of a comparison of voter registration addresses to commercially available data, such as data from credit agencies.

(2) If, as a result of the address verification program, the county election commission determines that a voter may have changed the voter's address of residence, the administrator of elections shall mail a forwardable confirmation notice to the voter at the address of registration with a postage prepaid, pre-addressed return form on which the voter may verify or correct the new address information.

2-2-106. Cont.

(d) Upon the mailing of a notice pursuant to subsection (c), the administrator of elections shall place the registration in inactive status and then take one (1) of the following steps as appropriate to the response of the voter or the failure of the voter to respond to the notice:

(1) If the voter returns the form or otherwise notifies the election commission in writing and indicates that there is in fact no change in address, the voter's registration will be returned to active status;

(2) If the voter returns the form or otherwise notifies the election commission in writing and indicates a new address within the county of current registration, the voter's registration will be updated to reflect the new address of residence;

(3) If the voter returns the form or otherwise notifies the election commission in writing and indicates a new address in another county, the administrator of elections shall remove the voter's name from the voter registration rolls, and shall advise the voter how to register in the new county of residence;

(4) If a voter fails to respond to a confirmation notice and the voter in fact does not have a new address or has a new address within the same precinct, the voter may appear at the voter's polling place and vote in any election held between the time the notice was sent and the second regular November election held after the notice was sent.

When appearing to vote, the person will be required to make written affirmation on the affidavit as described in § 2-7-140 and vote according to the procedures outlined in that section;

(5) If a voter fails to respond to a confirmation notice and if the voter has changed the voter's address of residence to an address within the same county but in another precinct, the voter may correct the registration and vote at the appropriate polling place for the voter's new residence in any election held between the time the notice was sent and the second regular November election held after the notice was sent. When appearing to vote, the person will be required to make written affirmation on the affidavit as described in § 2-7-140 and vote according to the procedures outlined in that section;

(6) If a voter fails to respond to a confirmation notice and if the voter has changed the voter's address of residence to an address outside the county of registration, the voter may not vote until such voter becomes properly registered in the new county of residence except as provided in § 2-7-115; and

(7) A voter may use a response to a confirmation notice to update the voter's registration to reflect a change in the voter's name.

(e) If the voter fails to respond to the confirmation notice, does not appear to vote, and does not update the voter registration between the time the notice is sent and the second regular November election held after the notice was sent, the administrator of elections shall purge the voter's registration.

(f) Notwithstanding anything in this section to the contrary, the administrator shall send a voter's registration card by non-forwardable mail.

(g) Voter registrations that are inactive pursuant to this section shall not be included in a county's total of registered voters. The administrator shall maintain a separate total of voters on inactive status.

(h) Any person who intentionally makes a false affirmation pursuant to this section violates § 2-19-107 and shall be punished as provided in § 2-19-107.

2-2-113. Lists of registered voters provided to federal courts — List of person disqualified or potentially disqualified as prospective juror from jury service.

(a) Lists of registered voters may be provided to federal courts for purposes of selecting jurors on the condition that the jury coordinator provides notice pursuant to subsection (b) regarding ineligible or potentially ineligible voters.

(b) The jury coordinator shall prepare or cause to be prepared a list of each person disqualified or potentially disqualified as a prospective juror from jury service due to being a non-United States citizen, convicted of a felony, deceased, not a resident of this state, or not a resident of the county. The list must be prepared and sent to the coordinator of elections according to the jury summons cycle used by the court clerk. This section does not prevent the list from being sent more frequently. The list may be provided by mail, facsimile transmission, or email.

2-2-113. Cont

(c) The jury coordinator shall provide the coordinator of elections with the following information about each disqualified juror:

- (1) The full name of the disqualified juror;
- (2) Current and prior addresses, if any;
- (3) Telephone number, if available;
- (4) Date of birth; and
- (5) The reason the prospective juror was disqualified.

(d) After verifying that the person is a registered voter, the coordinator of elections shall forward the information to the administrator of elections in the county where the voter is registered.

(e) The administrator of elections shall follow the procedures prescribed by § 2-2-106 or § 2-2-141, as applicable.

(f) In addition to the list of names, if the jury coordinator has documentation showing the person's disqualification under subsection (b), the documentation may be forwarded to the coordinator of elections.

2-2-123. Cancellation of previous registration.

If a registrant was previously registered in any other place, the registrant's application to register shall serve as a cancellation of registration for the last place of registration. Upon registration of the voter, the administrator of elections shall mail a copy of the new registration to the county election commission where the voter was last registered or otherwise notify such county election commission of the new registration.

2-2-129. Transfer of registration — Procedure.

(a) A voter may transfer registration when such voter moves outside the precinct in which such voter is registered as follows:

- (1)
 - (A) If a voter has moved within the same county, the voter may transfer the registration either in person, by mail, facsimile transmission or by email with an attached document that includes a scanned signature. The voter may request a form which reads substantially as follows: [Click here to view form.](#)
 - (B) If a voter does not use the form, the voter shall include in the request for transfer all of the information required by this subdivision (a)(1);
- (2) If the voter moves outside the county, the voter may transfer by registering in the county of the voter's new residence; and
- (3) To provide an additional means of initiating and effecting transfers of voter registration within the county of current registration, the commission shall provide the officer of elections at each polling place and the officials at each early voting site with the proper affidavits. Voters who have moved within the county of registration may vote under the provisions described in § 2-7-140 and simultaneously transfer their registration. The written affidavit completed by the voter shall serve as a transfer of registration form for the voter. The election commission shall also make available transfer of address forms for voters who may anticipate a move in the future.

(b) A county election commission may transfer registration when a voter moves outside the precinct in which such voter is registered as follows:

- (1) If the county election commission uses change of address information supplied by the postal service to identify registered voters whose addresses may have changed; and
- (2) If it appears from information provided by the postal service that:
 - (A) A registered voter has moved to a different address of residence within the same county, the administrator may change the registration records to show the new address and send the registered voter a forwardable audit notice of the change using the new address and a postage prepaid pre-addressed return form by which the voter may verify or correct the address information; or
 - (B) A registered voter has moved to an address of residence in a different county or moved without filing a change of address with the postal service, the administrator of elections may mail a forwardable confirmation notice to the registered voter pursuant to the procedures provided in § 2-2-106(c) and (d).

2-2-132. Purging of permanent registration records.

The commission shall, not less than ninety (90) days before the regular August election, purge the permanent registration records of those persons whose registrations are required to be purged by § 2-2-106.

2-2-133. Report to coordinator of elections of deaths in state — Notification of county commissions — Information from social security administration death master file — Cancellation of registrations — Purge of records.

(a)

(1) The state office of vital records of the department of health shall furnish the coordinator of elections a monthly, or more frequent, report, as required for compliance with this section, of all persons eighteen (18) years of age or over who have died in the state. The report shall list the deaths by county with the names in alphabetical order. The report shall contain each decedent's full name, last address, date and place of birth, and social security number.

(2) The coordinator of elections shall, after receipt of the report, notify each county election commission of all persons of voting age who died with an address in their county.

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

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

(d) In accordance with § 2-2-106(a)(3), each county election commission shall purge voting registration records of all deceased registered voters appearing on the report transmitted by the coordinator of elections at least every thirty (30) calendar days, and, beginning with the first day of any period of early voting, daily through the day of the election as such information is transmitted from the coordinator of elections.

2-2-139. Restoration of suffrage to persons convicted of infamous crimes.

(a) Any person who has forfeited the right of suffrage because of conviction of an infamous crime may register to vote and vote at any election for which the person is eligible by submitting sufficient proof to the administrator of elections in the county in which the person is seeking to register to vote, that:

(1) The person has been pardoned of all infamous crimes and the person's full rights of citizenship, including the right of suffrage, have been restored;

(2) The person's full rights of citizenship have been restored as prescribed by law; or

(3) An appellate court of competent jurisdiction has entered a final judgment reversing the person's conviction, or convictions, of all infamous crimes.

(b) For purposes of this section, a pardon or a certified copy of a judgment of a court of competent jurisdiction shall be sufficient proof to the administrator that the person fulfills the above requirements as to the offense or offenses specified on the pardon or judgment; however, before allowing a person convicted of an infamous crime to become a registered voter, it shall be the duty of the administrator in each county to verify with the state coordinator of elections that the person is eligible to register under this section.

(c) The state election coordinator is empowered to formulate a uniform procedure for verifying the registration eligibility of any person convicted of an infamous crime. Upon receiving sufficient verification of such person's eligibility to register, the administrator shall allow such person to become a registered voter in the same manner and in accordance with the same laws, rules, or regulations as any other citizen of this state.

(d) The provisions of this section, relative to the forfeiture and restoration of the right of suffrage for those persons convicted of infamous crimes, shall also apply to those persons convicted of crimes prior to May 18, 1981, which are infamous crimes after May 18, 1981.

2-2-140. Duplicate voter registrations.

- (a)
- (1) The state coordinator of elections is encouraged to make every reasonable effort to enter into agreements with other states for the purpose of comparing data to identify duplicate voter registrations. If agreements are entered into with other states, upon finding any duplicate voter registrations, the state coordinator of elections shall make every effort to determine in which state the voter is rightfully entitled to vote.
- (2) The state coordinator of elections shall promulgate rules and regulations for any agreements entered into that make provisions for security, maintenance of the integrity of Tennessee's voter information and a method to determine, verify and resolve duplicate voter registrations between the states. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.
- (b) The state coordinator of elections shall file a report with the state and local government committee of the senate and the state government committee of the house of representatives by January 15, 2009, and by January 15 in each year thereafter, regarding the status of any agreements entered into with other states, the progress or difficulties of reaching agreements with other states, and any other information the state coordinator of elections deems necessary to include in the report to keep the members of the general assembly apprised on this essential issue regarding the integrity of Tennessee's statewide voter registration database.

2-2-141. Proof of citizenship for registering to vote.

- (a) The coordinator of elections may compare the statewide voter registration database with the department of safety database to ensure non-United States citizens are not registered to vote in this state. The coordinator of elections is further authorized to compare the statewide voter registration database with those of relevant federal and state agencies, including the systematic alien verification for entitlements (SAVE) program database, and county records for the same purpose. If evidence exists that a particular registered voter is not a citizen of the United States, the coordinator of elections shall notify the county election commission where the person is registered to vote that the registered voter may not be a citizen of the United States.
- (b) After receiving such notice, the county election commission shall send a notice to the registered voter inquiring whether the individual is eligible to be registered to vote. Any registered voter who receives the notice shall, within thirty (30) days of the receipt of such notice, provide proof of citizenship to the county election commission. For purposes of this subsection (b), proof of citizenship includes:
- (1) The voter's birth certificate or a legible photocopy of the birth certificate;
- (2) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the voter and showing the passport number;
- (3) The voter's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the voter's certificate of naturalization; except that any person who provides the number of the certificate of naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the coordinator of elections verifies the number with the United States citizenship and immigration services in the department of homeland security or its successor; or
- (4) Any document or method of proof of citizenship established by the federal Immigration Reform and Control Act of 1986 (8 U.S.C. §§ 1101 et seq.).
- (c) If the registered voter does not provide proof of citizenship within thirty (30) days of the receipt of the notification, the administrator of elections of the county where the person registered to vote shall purge the voter from the voter registration database.
- (d) In the event a person is unable to provide any documentation included in subsection (b) to show proof of citizenship, the person may appeal to the state election commission and submit additional proof of citizenship in person or in writing. The state election commission shall conduct a hearing and make a finding concerning the individual's citizenship status and shall forward a copy of its decision to the administrator of elections of the county where the person resides. The voter registration database shall be changed by the administrator of elections to accurately reflect the decision of the state election commission with respect to such voter.
- (e) All documentation provided to show proof of citizenship as well as the department of safety database or relevant federal and state agency and county records shall be confidential and shall not be available for inspection by the public.

[The National Voter Registration Act of 1993](#)

Congress enacted the National Voter Registration Act of 1993 (also known as the “NVRA” and the “Motor Voter Act”), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

List of voter registration statuses and their definitions

Registration Statuses	
Active - a qualified voter, eligible to vote without additional address verification.	Tenn. Code Ann. § 2-2-106
Inactive - Voters who did not respond to an address confirmation notice. Voter registrations that are inactive pursuant to this section shall not be included in a county's total of registered voters. The administrator shall maintain a separate total of voters on inactive status.	Tenn. Code Ann. § 2-2-106
Purged - voter has been removed from the voter registration rolls	Tenn. Code Ann. § 2-2-106

How do I file a HAVA complaint?

[Link to HAVA Complaint Process](#)

[Link to Form](#)

Complaints must be filed on a Title III HAVA complaint form. Complaint forms may be found at your local county election office, the State Coordinator of Elections office or online.

All complaints must be in writing, notarized, signed, and sworn to by the complainant. The complaint may be filed with either the Coordinator of Elections or the local [county election office](#).

How do I file a non-HAVA election complaint?

[Link to Statutes](#)

[Link to Complaint Form](#)

If your complaint does not fall within one of the Title III HAVA categories, you may file a general complaint with the State Coordinator of Elections office or with the local county election office.

Who can I contact regarding an election related complaint?

Secretary of State, Coordinator of Elections	
Physical Address:	312 Rosa L Parks Avenue 7th Floor, Snodgrass Tower Nashville, TN 37243
Mailing Address:	Office of the Secretary of State Coordinator of Elections 312 Rosa L Parks Avenue 7th Floor, Snodgrass Tower Nashville, TN 37243-1102
Phone Number:	615-741-7956
Contact Webform:	https://sos.tn.gov/form/contact-elections
County Election Commissions:	https://tnsos.org/elections/election_commissions.php