



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 749**

**SENATE BILL NO. 2638**

**By Watson**

Substituted for: House Bill No. 2665

By Carter

AN ACT to amend Tennessee Code Annotated, Section 2-7-114(c), relative to elections.

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

SECTION 1. Tennessee Code Annotated, Section 2-7-114(c), is amended by deleting this subdivision in its entirety and substituting instead the following:

(c)(1) The voter shall state the voter's name and present the folded ballot to the judge assigned to receive and deposit the ballots. The judge shall compare the ballot number on the stub with the ballot number on the voter's ballot application. If the ballot numbers are the same, the judge shall tear off the stub, attach the ballot stub to the voter's application for ballot and direct the voter to deposit the ballot in the ballot box, unless the voter is successfully challenged. The judge shall file all ballot applications and ballot stubs in the order in which they are received. Notwithstanding any other law, the procedure described herein shall govern the voting process in counties using the optical scan voting system.

(2) In counties using a ballot marking device, or any other electronic ballot marking system, after the voter completes the application for ballot and the election official records the ballot stub number on the application for ballot, the election official shall attach the ballot stub to the voter's application for ballot. The election official shall file all ballot applications and ballot stubs in the order in which they are received.

(3) If the voter is voting a provisional ballot pursuant to § 2-7-112(a)(3) and (e), the voter shall state the voter's name and present the folded ballot to the judge assigned to receive and deposit the provisional ballots. The judge shall compare the provisional ballot number on the stub with the provisional ballot number on the voter's ballot application. If the provisional ballot numbers are the same, the judge shall tear off the stub and attach the ballot stub to the voter's application for ballot. The judge shall file all ballot applications and ballot stubs in the order in which they are received. Unless the voter is successfully challenged, the judge shall direct the voter to deposit the provisional ballot into the provisional ballot envelope that contains the provisional ballot affidavit. The judge shall ensure that the provisional ballot affidavit has been completed and signed by the voter and direct the voter to deposit the provisional ballot, in its envelope, in an absentee ballot box that satisfies the requirements for absentee ballot boxes and that has been locked pursuant to § 2-6-311.

SECTION 2. This act shall take effect May 2, 2018, the public welfare requiring it.

SENATE BILL NO. 2638

PASSED: April 4, 2018

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 18<sup>th</sup> day of April 2018

  
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BILL HASLAM, GOVERNOR