



State of Tennessee

PUBLIC CHAPTER NO. 635

HOUSE BILL NO. 2364

By Representative Rudd

Substituted for: Senate Bill No. 2299

By Senators Jackson, Gresham, Powers

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

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

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 19, Part 1 is amended by adding the following as a new section:

(a) A person commits an offense who, with intent to deceive or disseminate information that person knows to be incorrect, provides or publishes false or misleading information regarding the qualifications to vote, the requirements to register to vote, whether an individual voter is currently registered to vote or eligible to register to vote, voter registration deadlines, or polling dates, times, and locations.

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

SECTION 2. Tennessee Code Annotated, Section 2-19-118, is amended by deleting the section and substituting instead the following:

(a) A person commits an offense who, before, during, or after an election:

(1) Intentionally tampers, interferes, or attempts to interfere with the correct operation of, or damages in order to prevent the use of, a voting machine, electronic poll book, voting device, voting system, vote tabulating device, or ballot tally software program source codes;

(2) Intentionally tampers with, interferes with, attempts to interfere with, obtains unauthorized access to, or attempts to obtain unauthorized access to the official voter registration database, including, but not limited to, attempts to obtain plans, security codes, passwords, combinations, or computer programs used to protect electronic information and government property or information that would identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with the official voter registration database;

(3) Knowingly and without authorization makes or has in the person's possession a key to a voting machine, voting system, tabulator, or ballot box that will be used in an election in this state;

(4) Intentionally substitutes or attempts to substitute forged or counterfeit election results; or

(5) Intentionally and without authorization, directly or indirectly, alters, damages, destroys, or attempts to alter, damage, or destroy or causes disruption to the proper operation of any election website maintained, hosted, or administered by a state or county governmental entity or a third party on behalf of or under contract with a state or county governmental entity.

(b) A violation of subsection (a) is a Class D felony.

SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

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SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.

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PASSED: March 18, 2020



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 1st day of April 2020



BILL LEE, GOVERNOR