

**RULES  
OF  
SECRETARY OF STATE  
STATE COORDINATOR OF ELECTIONS**

**CHAPTER 1360—2—3  
PURCHASE OF PUNCH CARD DEVICES**

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**1360—2—3—.01 PURCHASE BY COUNTIES.** No county election commission or county governing body shall purchase any punch card voting device not certified by the Coordinator of Elections with the approval of the State Election Commission. No county election commission and no county governing body shall purchase any punch card voting device certified by the Coordinator of Elections with approval of the State Election Commission until application has been made to, and approval given by, the Coordinator of Elections and the State Election Commission.

*Authority:* T.C.A. §§2—910, 2—11—201(c). *Administrative History:* Original rule filed April 19, 1974; effective May 19, 1974. Repeal and new rule filed August 19, 1994; effective December 29, 1994.

**1360—2—3—.02 INVESTIGATION BY COUNTY ELECTION COMMISSIONS.** County Election Commission shall have the responsibility for investigating the feasibility, necessity, or desirability of the use of punch card voting devices within their respective counties. No such voting machine shall be purchased by any county governing body unless and until such machines have been certified for use by such county's election commission. No such contract for purchase or lease shall be entered into until it is determined by the county election commission that such contract meets the minimum requirements of these regulations. Such county election commission shall have authority to add such other requirements to such contract as, in its discretion, may seem necessary or desirable for its county.

*Authority:* T.C.A. §§2—910, 2—11—201(c). *Administrative History:* Original rule filed April 19, 1974; effective May 19, 1974. Repeal and new rule filed August 19, 1994; effective December 29, 1994.

**1360—2—3—.03 STATE FINANCING.** Any punch card voting devices certified by the Coordinator of Elections with the approval of the State Election Commission shall qualify for state financing under T.C.A. §§2—9—112 through 2—9—114.

*Authority:* T.C.A. §§2—910, 2—11—201(c). *Administrative History:* Original rule filed April 19, 1974; effective May 19, 1974. Amendment filed June 4, 1974; effective July 4, 1974. Repeal and new rule filed August 19, 1994; effective December 29, 1994.

**1360—2—3—.04 CONTRACT REQUIREMENTS.**

- (1) No county election commission and no county governing body shall enter into a contract for the purchase, lease, or lease-purchase of any punch card voting machines or devices unless such contract provides for adequate assistance by such manufacturer or sales agency to the county election commission for not less than the first two county-wide elections conducted with the use of such punch card voting machines or devices. The manufacturers or sales agency shall agree to provide, as minimum assistance: educational materials, including films, newspaper copy, brochures, press kits, and radio scripts; on-site computer operations training; written and personal instructions to counting center personnel; ballot layout forms; maintenance manuals; design of ballot pages and ballot cards; two separate and different program decks and adequate personnel to provide all such assistance.

(Rule 1360-2-3-.04, continued)

- (2) One copy of every such contract entered into shall be supplied to the Coordinator of Elections of the State of Tennessee and one copy of every such contract shall be forwarded to the Chairman of the Tennessee Election Commission.

**1360—2—3—.05 COMPUTER AVAILABILITY.** No county election commission or county governing body may purchase any punch card voting devices or machines until computer availability is assured and an expert computer programmer is available. Such assurance and availability shall not be evidenced by written contract: provided, however, that computer availability shall not be a prerequisite where the county purchases or leases from the manufacturer of the punch card voting machines, or from another electoral jurisdiction using identical voting equipment, an electronic tabulator for its own individual and exclusive use; and provided, further, that the expert computer programmer (1) need not be a resident of the County, and (2) may be a representative of the manufacturer.

*Authority:* T.C.A. §§2—910, 2—11—201(c). *Administrative History:* Original rule filed April 19, 1974; effective May 19, 1974. Amendment filed March 13, 1980; effective April 26, 1980. Repeal and new rule filed August 19, 1994; effective December 29, 1994.