

Legal Authority to Cast a Ballot in Tennessee

Method

Authority

Early Vote at County Election Office

TCA 2-6-102 (a) (1)
(20 days before
to 5 days before)

Early Vote at Satellite Voting Location

TCA 2-6-101 (b)
(Designated days during
the 20 days - 5 days Period)

Vote at Polling Place on Election Day

TCA 2-7-112

**Vote at Licensed Nursing Home, Home for the Aged,
or Assisted Living Located Inside the County**

TCA 2-6-601
(29 days before to
5 days before)

(This process is completed in front of two absentee
voting deputies, one representing each political party)

Vote Absentee by Mail

TCA 2-6-201

- Persons Outside of County - TCA 2-6-201 (1)
- Students or Spouse Outside of County - TCA 2-6-201 (2)
- Permanent Absentee Voting Register - TCA 2-6-201 (3) (A)
- Full-Time Resident of Licensed Nursing Home, Home for Aged, or Similarly License Institution Located Outside the County - TCA 2-6-201 (3) (B)
- Jurors - TCA 2-6-201 (4)
- Persons Over 60 Years of Age - TCA 2-6-201 (5) (A)
- Voter with a Disability at an Inaccessible Polling Place - TCA 2-6-201 (5) (B)
- Hospitalized, Ill or Voter with a Disability - TCA 2-6-201 (5) (C)
- Caregiver of Hospitalized, Ill or Voter with a Disability - TCA 2-6-201 (5) (D)
- Candidate for Office - TCA 2-6-201 (6)
- Election Official - TCA 2-6-201 (7)
- Observance of Religious Holiday - TCA 2-6-201 (8)
- Valid Commercial Driver's License - TCA 2-6-201 (9)

Vote Absentee by Mail

Inmate Voting

(Tate v. Collins)

Court Case 1980

Vote Absentee by Mail or by Email

TCA 2-6-502 & 503

Using Form 76, written request under penalty of perjury or
Federal Write-In Absentee Ballot (FWAB)

- Military and family dependents
- Citizens Temporarily Outside the United States

Emergency Absentee Ballot

Hospitalized in County of Residence within
20 days of election, but give notice before polls open

TCA 2-6-401 (a) (1)

Legal Authority to Cast a Ballot in Tennessee, Continued

Emergency Voting at Election Office

TCA 2-6-401 (c) (1) & (2)

(5 days to one day before Election Day)

Appear at Election Office for one of three reasons

1. Due to Death of a Relative of Voter resulting in their Absence from county on Election Day
2. Voter receives subpoena requiring the voter's presence on Election Day
3. Voter receives service of process requiring the voter's presence on Election Day

Challenged Ballot

TCA 2-7-123 thru 126

Challenged Voter – Oath Administered by

Judges that unanimously uphold the challenge;

cast a paper ballot placed inside a challenged ballot

envelope that is marked "**Rejected**." Not counted by election

officials but preserved. The "**Rejected**" envelope is placed in the ballot box.

(A court could rule this is a legal ballot and have it counted based upon their ruling)

Provisional Ballot

TCA 2-7-112 (a) (3)

- Voter who claims to be registered to vote but whose eligibility cannot be determined by the signature lists or registration records or an election official asserts that the individual is not eligible to vote is allowed to cast a provisional ballot (cast on paper) that will be placed inside a green provisional ballot envelope and placed inside a provisional ballot box. The resolution of this ballot is determined by the provisional ballot counting board.
- Voter who is unable to present evidence of identification is allowed to cast a provisional ballot (cast on paper) that will be placed inside an orange provisional ballot envelope and placed inside a provisional ballot box. The resolution of this ballot is determined by the provisional ballot counting board.

Provisional Ballots can occur on Election Day or during early voting period.

Fail-Safe Voter at Optional Location

TCA 2-7-140 & 141

Election Day voters who failed to update their address with

the election office - vote at their new polling place or, if

election commission elects to, votes at the election office or

a central location that has a computer capable of viewing

the voter registration records in the county election office.

This voter's eligibility is not in question! State law requires an individual to vote where they reside (a change of address can require a change in voting location and or jurisdiction).

(Revised Jan 2012)