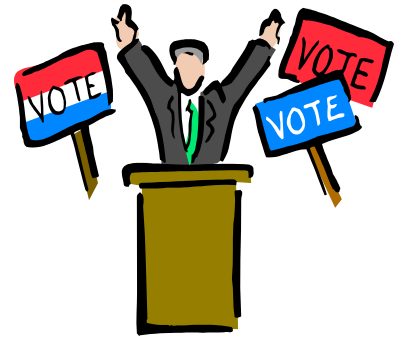


A Fact Sheet For For Tipton County Candidates



**So, you want to be a candidate?
Congratulations!!**

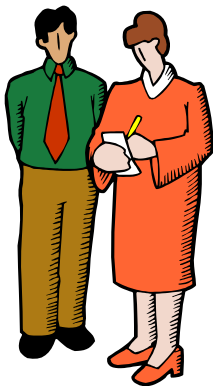
Now that you've made the decision to seek public office, your next step is to officially qualify as a candidate and name a treasurer.

Qualifying to run for office. Visit the election commission office to get your qualifying petition. The earliest date you can pick up a petition is set by state law and varies according to the type of election. Check with the election office to find out the first day you can pick up a petition and the last day to qualify to run for the office you are seeking.

Once the petition is issued, the candidate must sign the petition himself and get 25 or more registered voters to sign. They must be eligible to vote to fill the office you are seeking. Each voter who signs your petition must also list his/her address. It's wise to secure more than 25 signatures because some will not be eligible and sometimes individuals will sign petitions that are not actually registered voters.

DO NOT ALLOW ANYONE TO SIGN YOUR PETITION ON BEHALF OF SOMEONE ELSE!

When you have 25 or more signatures, return your petition to the election commission office and the staff will compare the signatures you have obtained with the signatures in our voter registration files.



Once 25 signatures are determined to be valid, you have qualified as a candidate. We will file the original and provide a copy for your campaign files. (TCA § 2-5-101, 2-5-102)

FINANCIAL REQUIREMENTS:

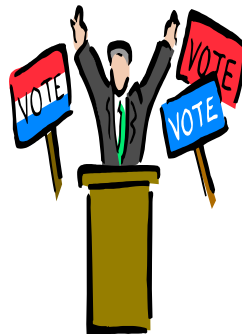
Naming a treasurer. Before you can accept or spend money on your campaign you must certify the name and address of your campaign treasurer. The election commission can provide you with the appropriate form. If you are a candidate for a state office the form is filed with the state Registry of Election Finance; if you are a candidate for local office the form is filed with the Tipton County Election Commission. Candidates for the Tennessee General Assembly must file with the state Registry and with the local election commission office.

When you have certified your treasurer, you will be given a set of campaign financial disclosure forms and a booklet entitled "Campaign Financial Disclosure Guidelines." The booklet uses a question and answer format to address the most frequently asked questions about campaign finance disclosure. If you have additional questions the election commission staff will be happy to assist you. [TCA § 2-10-105(e) and TCA § 2-5-105]

If you change your mind.... At the time you pick up your petition the election the commission staff will tell you the qualifying deadline for the office you are seeking. If you qualify by that deadline, you have seven days to withdraw. If you don't withdraw by 12 noon on the seventh day following the qualifying deadline, your name will be on the ballot. (TCA § 2-5-204)

OTHER THINGS A CANDIDATE NEEDS TO KNOW

Campaign material. Highlights of the Disclaimer Law are as follows; Whenever a candidate makes an expenditure to finance a communication that expressly advocates the election or defeat of a clearly identified candidate or solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing or any form of general public political advertising a disclaimer is required. Also adequate notice of the identity of persons who paid for and who authorized the communication. Exceptions include bumper stickers, pins, buttons, pens, novelties, and similar items that are too small to have the disclaimer conveniently printed on them. (TCA § 2-19-120)



Placement and removal of campaign signs. You are responsible for removal of signs, poster, or placards advocating your candidacy that have been placed on highways, rights-of-way or other publicly owned property. The removal of such materials should be accomplished within a reasonable period of time following the election, not to exceed three weeks. A candidate in a primary who will be a candidate in an upcoming general election, is not required to remove campaign signs until after the general election, (TCA §§ 2-1-116, 2-19-144)

Contribution Limits:

State Law sets the following limits (per election) for your campaign.

*(TCA § 2-10-302, 2-10-306)

OFFICE Personal SOUGHT	<u>Individual</u>	From an PAC	Total Contributions From PACs Other Than Political Party PACs	Total Contributions From Political Party PACs	Personal Monies
State Senate	\$1,000	\$7,500	\$75,000	\$40,000	\$40,000 * *
Other State offices and all local elected offices	\$1,000	\$5,000	\$75,000	\$20,000	\$20,000 * *

Does not include contribution limitations for statewide offices. **Attorney General has opined that these limits are unconstitutional.

Access to your campaign financial disclosure records. Your campaign financial records are public record and are subject to inspection and copying by the media and the general public.

Anyone may inspect your financial records by coming to the election office or going online with Registry of Finance They may also go to the Registry of Finance to inspect your records. (TCA §2-10-111)

VOTER INFORMATION

Obviously, information about voters who are eligible to vote in your election will be valuable in developing a successful campaign strategy. You can request a voter's list at your local election commission office for a fee set by the state election commission. This information can only be used for political purposes. (TCA § 2-2-138)

[For Computer Printouts and Computer CD](#)



Contact the Tipton County Election Commission at (476-0223)

During and after early voting for your election, we can provide information about those who have already voted so you can strike them from your lists to receive a phone call or mail solicitation before Election Day. The election commission office staff will be glad to work with you to provide this information to assist your needs in your campaign.

Voter Registration. While you're on the campaign trail, you may run into individuals who aren't registered to vote. Offer them the opportunity to register. The election commission office will supply you with the appropriate forms and deadlines for having applications returned to the election office.

You may use these applications for voter's that have moved and need to do an address change or if a voter needs to do a name change. The office will mail them a new voter card once the changes have been made. It will speed the process of voting on election day if the voter has their voter ID card. A new applicant is not registered until they receive their voter ID card in the mail.

Voters, except new applicants, may use other forms of ID if the voter does not have their voter card with them. Such as their drivers license, a bill with their name and address on it or they may sign an oath of voter at the polls.

REMEMBER TO TELL APPLICANTS THAT THEY ARE NOT REGISTERED IF THEY DO NOT RECEIVE THEIR VOTER ID CARD WITHIN TEN (10) DAYS AFTER RETURNING THE APPLICATION TO THE ELECTION COMMISSION OFFICE. SO PLEASE CALL THE ELECTION COMMISSION OFFICE AT 476-0223 TO VERIFY IF IT HAS BEEN RECEIVED.

Please remember the deadlines for registering. We want to give every applicant the opportunity to register and to be able to vote.

Tipton County Election Commission 2010 Election Schedule

<i>Election Date</i>	<i>*Qualifying Deadline Date</i>	<i>*First Day to Pick up Petitions</i>	<i>Offices to be Elected</i>
May 4, 2010 County Primary (Local county primary board calls Primary.)	February 18, 2010 (12:00 NOON)	November 20, 2009	To be determined by the local primary board.
August 5, 2010 State Primary	April 1, 2010 (12:00 NOON) This includes independent candidates	January 1, 2010	TN Governor, U.S. House of Representatives, TN Senate (odd #'d districts), TN House of Representatives State Executive Committeeman & Committeewoman 32 nd Senatorial District
County General (If no primary is held)	April 1, 2010 (12:00 NOON)	January 1, 2010	County Executive, County Commissioners, Trustee, Sheriff, Circuit Court Clerk, County Clerk, Register of Deeds, School Board Members Dist. 2-4-6-8, Constables And/or vacancies
November 2, 2010 State General Election	August 19, 2010*	May 21, 2010	TN Governor, U.S. House of Representatives, TN Senate (odd #'d districts), TN House of Representatives
Municipal Elections	August 19, 2010* *(Independent Candidates for municipal offices and/or certain county vacancies.) (12:00 NOON)	May 21, 2010	Atoka—Mayor 3 Alderman Burlison—1 Councilman Covington---Mayor 3 Alderman Garland --- Mayor 5 Alderman Gilt Edge---1 Councilman Munford---3 Alderman

Tipton County Election Commission
2010 Election Schedule For
Registration and Early Voting

<i>Election Date</i>	<i>Last Date to Register</i>	<i>Early Voting Period</i>	<i>Offices to be elected</i>
May 4, 2010 County Primary* (Only if one has been called by the county primary board.)	Monday April 5 th , 2010	April 14 th , 2010 through April 29 th , 2010.	To be determined by local primary board.
August 5, 2010 State Primary and County General Election	Tuesday July 6 th , 2010	July 16 th , 2010 through July 31 st , 2010	TN Governor, U.S. House of Representatives, TN Senate (odd #'d districts), TN House of Representatives, State Executive Committeeman & Committeewoman 32 nd Senatorial District County Executive, County Commissioners, Trustee, Sheriff, Circuit Court Clerk, County Clerk, Register of Deeds, School Board Members Dist. 2-4-6-8, Constables And/or vacancies
November 2, 2010 State General Election All Municipal Elections	Monday October 4 th 2010	October 13 th , 2010 through October 28 th , 2010	TN Governor, U.S. House of Representative, TN Senate (odd #'d districts) TN House of Representatives <hr/> Atoka—Mayor, 3 Alderman Burlison—1 Councilman Covington---Mayor, 3 Alderman Garland --- Mayor, 5 Alderman Gilt Edge---1 Councilman Munford---3 Alderman

**Tipton County Election Commission
2010 Filing Dates
For
August General Election
(8/5/2010)**

Report	Period Covered	Due Date
1st Quarter 1	01/16/2010 - 03/31/2010	04/12/2010
2nd Quarter	4/01/2010 - 06/30/2010	07/12/2010
Pre-General	07/01/2010 – 07/26/2010	07/29/2010
3rd Quarter	07/27/2010 – 09/30/2010	10/11/2010
4th Quarter 2	10/01/2010 – 01/15/2011	01/25/2011

All current **office holders** must file an amended report or show no change in their status by January 31, 2010.

All **candidates** qualifying for election must file within 30 days of petition filing.

All candidates for election must file an Appointment of Treasurer before any campaign monies are received or spent or sign a statement of exemption if no monies will be received or spent.

1. 1st Quarter
 - If this your first report, it will begin with the date of the first contribution or first expenditure, whichever occurred earlier, and extend through March 31, 2010.
2. 4th Quarter
 - The candidates with an open campaign account file this report.

August General Election
August 5, 2010
 Arrangement of Offices on Ballot Pages TCA§ 2-5-208

Office Title

Incumbent

State:

Governor

Phil Bredesen

U.S. House of Representatives

John Tanner

**TN House of Representatives
 81st Representative District**

Jimmy Naifeh

**TN House of Representatives
 94th Representative District**

Barrett Rich

Democrat

State Executive Committeeman 32nd. Senatorial Dist.

Roger Warmath

State Executive Committeewoman 32nd. Senatorial Dist.

Gladys Crain

Republican

State Executive Committeeman 32nd Senatorial Dist.

John Wilkerson

State Executive Committeewoman 32nd Senatorial Dist.

Linda Roberts

County Executive

Jeff Huffman

County Commissioner (District 1)

Quincy Barlow

County Commissioner (District 1)

Rusty Wooten

County Commissioner (District 2)

Tommy Dunavant

County Commissioner (District 2)

Arnold McIntyre, Jr.

County Commissioner (District 3)

Steve Bringle

County Commissioner (District 3)

Jeff Mason

County Commissioner (District 4)

Mike Sterling

County Commissioner (District4)

Charles Walker

County Commissioner (District 5)

William E. (Buddy) Bibb

County Commissioner (District 5)

Glenn Turner

County Commissioner (District 6)

Clifford Wilson

County Commissioner (District 6)

Johnnie Jones

County Commissioner (District 7)

Patsy K. Fee

County Commissioner (District 7)

Harold (Poochie) Twisdale

County Commissioner (District 8)

James Lamont Sneed

County Commissioner (District 8)
County Commissioner (District 9)
County Commissioner (District 9)
Trustee
Sheriff
Circuit Court Clerk
County Clerk
Register of Deeds
School Board Dist. 2
School Board Dist. 4
School Board Dist. 6
School Board Dist. 8
Constable Dist. 1
Constable Dist. 2
Constable Dist. 3
Constable Dist. 4
Constable Dist. 5
Constable Dist. 6
Constable Dist. 7
Constable Dist. 8
Constable Dist. 9

Robert W (Bob) Wilson
Jeff Scott
Dale W. Smith
Kristie G. Maxwell
Pancho Chumley
Mike Forbess
Pam S. Deen
Claudia M. Peeler
Don Clark
Janet Abel
Billy Brooks
Martin Haywood
Kenneth E. Armstrong
Tommy Black
Vacant
Vacant
Vacant
Robert E. (Bob) Pike
Lonnie L. Carver, Sr.
Nick McDivitt
L. Hartman Smith

**OFFICE AND INCUMBUNT FOR MUNICIPAL ELECTIONS TO BE HELD
ALONG WITH THE NOVEMBER STATE GENERAL:**

ATOKA MUNICIPAL

**MAYOR
ALDERMAN
ALDERMAN
ALDERMAN**

**Charles Walker
Joseph E. Billings
Thomas Rogers
Daniel S. Feldmayer**

A. QUALIFICAT IONS

- 1) Basic qualifications TCA §8-18-101
- 2) A resident of the State of Tennessee for more than one year.
- 3) A resident within the municipality for not less than twelve months immediately preceding then election and shall continue to reside within the corporate limits during his/her term of office. (Charter)

B. TERM OF OFFICE

- 1) Mayor --4 year term
- 2) Alderman --4-year term
- 3) Runs in November in conjunction with the general election

**OFFICE AND INCUMBUNT FOR MUNICIPAL ELECTIONS TO BE HELD
ALONG WITH THE NOVEMBER STATE GENERAL:**

BURLISON MUNICIPAL

**COUNCILMAN
COUNCILMAN**

**ANITA COATS
JAMES M. KENNEY**

A. QUALIFICATIONS

- 1) Basic qualifications TCA 8-18-101
- 2) A resident within the municipality. (Charter)

B. TERM OF OFFICE

- 1) Councilman --4 year term
- 2) Runs in November in conjunction with the general election

**OFFICE AND INCUMBUNT FOR MUNICIPAL ELECTIONS TO BE HELD
ALONG WITH THE NOVEMBER STATE GENERAL:
COVINGTON MUNICIPAL**

**MAYOR
ALDERMAN D-1
ALDERMAN D-2
ALDERMAN D-3**

**DAVID GORDON
JOHN E. EDWARDS
TOMMY BLACK
BILL SCRUGG**

A. QUALIFICATIONS

- (1.) Basic qualifications TCA 8-18-101**
- (2.) A resident of the State of Tennessee for more than one year.**
- (3.) A resident within the municipality for not less than twelve months immediately preceding then election and shall continue to reside within the corporate limits during his/her term of office. (Charter)**

B. TERM OF OFFICE

- (1.) Alderman --4 year term**
- (2.) Runs in November general election**

**OFFICE AND INCUMBUNT FOR MUNICIPAL ELECTIONS TO BE HELD
ALONG WITH THE NOVEMBER STATE GENERAL:
GILT EDGE MUNICIPAL**

COUNCILMAN

BILLY FLEMING

A. QUALIFICATIONS

- 1) Basic qualifications TCA §8-18-101**
- 2) A RESIDENT WITHIN THE MUNICIPALITY (Charter)**

B. TERM OF OFFICE

- 1) Councilman --4 year term**
- 2) Runs in November election**

**OFFICE AND INCUMBUNT FOR MUNICIPAL ELECTIONS TO BE HELD
ALONG WITH THE NOVEMBER STATE GENERAL:
GARLAND MUNICIPAL**

**MAYOR
ALDERMAN
ALDERMAN
ALDERMAN
ALDERMAN
ALDERMAN
ALDERMAN
RECORDER**

**DERRICK SMITH
JANEY L. ROGERS
BEN LITTLE
LISA MCCLAIN
GERRY MCLILLIE, JR.
PHIL RAMSEY
VACANT
DARRELL ROGERS**

A. QUALIFICATIONS

- 1.) Basic qualifications TCA 8-18-101
- 2.) A resident within the municipality shall continue to reside within the corporate limits during his/her term of office. (Charter)

B. TERM OF OFFICE

- 1) Alderman –4 year term
- 2) Runs in November general election

**OFFICE AND INCUMBUNT FOR MUNICIPAL ELECTIONS TO BE HELD
ALONG WITH THE NOVEMBER STATE GENERAL:
MUNFORD MUNICIPAL**

**ALDERMAN
ALDERMAN
ALDERMAN**

**SUE ARTHUR
JACK FORAKER
MICHAEL DURHAM**

A. QUALIFICATIONS

- 1) Basic qualifications TCA§ 8-18-101
- 2) A resident within the municipality for not less than twelve months immediately preceding then election and shall continue to reside within the corporate limits during his/her term of office. (Charter)

B. TERM OF OFFICE

- 1) Mayor/Alderman –4 year term
- 2) Runs in November election

QUALIFICATIONS FOR ELECTED OFFICE IN TENNESSEE

General Provisions Governing Qualification for Office:

The general qualifications of persons permitted to hold public office are set out in TCA, § 8-18-101. This section provides that all persons of the age of eighteen (18) years who are citizens of the United States and the State of Tennessee and have been inhabitants of the state, county, district or circuit for the period required by the constitution and laws of the state, are qualified to hold office under the authority of this state, except:

1. Those who have been convicted of offering or giving a bribe, or of larceny, or any other offense declared infamous by law, unless restored to citizenship in the mode pointed out by law;
2. Those against whom there is a judgment unpaid for any monies received by them, in any official capacity, due to the United States, to this State, or any county thereof;
3. Those who are defaulters to the treasury at the time of the election, and the election of any such person shall be void;
4. Soldiers, seamen, marines, or airmen in the regular army or navy or air force of the United States; and
5. Members of congress, and persons holding any office of profit or trust under any foreign power, other state of the union, or under the United States.

General Provisions Governing the Causes of Vacancies:

The causes of vacancies are set out in TCS § 8-48-101. This section provides that any office in this state is vacated by the following:

1. Death of the incumbent;
2. Resignation, when permitted by law;
3. Ceasing to be a resident of the state, or the district, circuit, or county for which he/she was elected or appointed;
4. Decision of a competent tribunal declaring the election or appointment void or the office vacant;
5. Act of the general assembly abridging the term of office, where it is not fixed by the constitution;
6. Sentence of the incumbent, by any competent tribunal in this or any other state, to the penitentiary, subject to restoration if the judgment is reversed, but not if the incumbent is pardoned; or
7. Adjudication of the incumbent's insanity.

QUALIFYING PETITION

A. PETITION

- 1) Candidates may obtain a petition from a county election commission office. The candidate and an election official must sign each page. **The petition may not be photocopied.** Additional pages may be obtained as necessary.
- 2) The petition must be signed by at least twenty-five (25) eligible voters who are registered in the Municipality represented. Each voter who signs the petition must also supply their residence address as it appears on their voter record.
- 3) Candidates must file their petitions no later than noon on August 19, 2010.
- 4) Candidates must file their petition in the office of the local Election Commission. **There are no filing fees.**
- 5) All current office holders must file an amended Statement of Interest Report or show no change in their status by January 31, 2010. Must file with the Tennessee Ethics Commission.
- 6) All new candidates must file within thirty (30) days of filing their petition with the Tennessee Ethics Commission.
- 7) Candidates shall file all original campaign contributions and disclosure reports with the county election commission of the candidate's residence.

D. FILING DEADLINE.

- 1) Candidates must file their petition no later than 12 NOON Thursday, August 19, 2010.

E. WHERE TO FILE.

- 1) Candidates must file their nominating petition in the office of the county election commission. The Tipton County Election Commission must receive this document by the above deadline. **There are no filing fees.**

Helpful Tips for Filing a Valid Petition With Signatures that Count

Candidates Must

- ❑ **Provide Correct Residential Address**
- ❑ **Sign Petition**

Circulator of Petition Must:

- ❑ Have at least twenty-five (25) registered voters sign the petition (For purposes of attaining the required 25 valid signatures, county election offices highly recommend that more than the minimum of 25 signatures be collected.)
- ❑ Have each registered voter sign his or her own name (A printed name of someone who has registered to vote with a signature will not provide sufficient information for the election office to compare the signatures.)
- ❑ Have each registered voter provide his or her residential address.
- ❑ If the person has moved to an address outside of the precinct of registration, then the person's voter registration address will have to be changed with the county election commission office before it can be counted.
- ❑ A ditto mark that follows an address may be counted, if each voter has signed his or her individual name and the residential address involved is the same for the respective voter.
- ❑ Ditto marks cannot be counted for signatures. Family members who sign beneath each other must sign their own last names. Ditto marks on a last name do not provide the election commission with sufficient information to compare the appropriate signatures.
- ❑ Do not accept P.O. Boxes. P.O. Boxes will not be counted, even if listed as the person's mailing address.
- ❑ Do not allow one individual to sign for another individual. This includes well-meaning spouses!

Election Seminar June 2005

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1. A person is not a registered voter until the county election commission has processed the person's voter registration application and mailed the voter registration card to the person's address.
 2. The county election commission does not have the duty or obligation to process voter registration forms or change of address forms that are turned in at the same time as the petition. If the person is not registered to vote already or has a change of address, the circulator will be wise not to rely upon that signature as a valid one.

PETITIONS, VOTER RESIDENCE REQUIREMENTS AND VOTER REGISTRATION

As provided for in Tennessee Code Annotated

2-5-101 Nominating Petitions. Content required. Nominating petitions shall be signed by the candidate and twenty-five (25) or more registered voters who are eligible to vote to fill the office. The signers of a petition must sign their name and residential address on the petition. (No Post Office Box Numbers)

2-5-102 Earliest Date to Pick Up a Nominating Petition. A nominating petition can be picked up no more than ninety (90) days before the qualifying deadline.

2-2-102 Qualified Voter. A qualified voter is a citizen of the United States, a resident of the State of Tennessee, 18 years of age on or before the date of the next election, and a non-felon (or their voting rights have been restored since becoming convicted, verified by the Coordinator of Elections.)

2-1-102; 2-7-115 Residence Requirements. Voters are required to vote in the election precinct in which they reside (live) except as otherwise expressly permitted. If a registered voter has, at any time prior to voting, changed residence to another place inside the county, the voter must vote pursuant to the provisions of “Fail Safe Voting”. Fail Safe Voting is a procedure in which voters must complete an affidavit swearing or affirming the current residence address. This procedure is required before voting if the address given is different from the address listed on the voter registration list or if an address verification card and/or confirmation card was sent to the address on the registration record and returned as undeliverable.

If a registered voter has, within ninety (90) days before an election, changed residence to another place inside Tennessee but outside the county where the voter is registered, the voter may vote at the polling place where the voter is registered. This particular “90 Day Rule” does NOT apply to municipal elections.

2-2-116 Registration By Mail. Each person who registers to vote by mail must vote in person in the first election the person votes in, after such registration becomes effective. Such person shall present proof of identity. Places where one can register to vote:

1. Election Commission Office
2. Department of Safety
3. Department of Human Services
4. Department of Health
5. Department of Mental Health
6. Public Libraries
7. County Clerk’s Office
8. Register of Deed’ Office
9. Department of Veteran’s Affairs

2-2-109 Registration Periods. A qualified voter may register to vote or update their address at the County Election Commission Office at any time the office is open, except no one may register to vote after the thirtieth day prior to an election. Updates to registration records cannot be made after the fifth day prior to any election.

CANDIDATES AND BALLOT PAGES

2-5-204 Withdrawal of Candidate. A candidate's request to withdraw his/her name from the ballot shall be made in writing and turned in to the appropriate election authority no later than 12:00 noon on the 7th day after the qualifying deadline.

2-5-206 Listing of Candidate's names. Candidates' names shall be listed alphabetically according to the initials of their surname, beginning with the first initial. No titles will be printed for a candidate.

2-5-208 Arrangement of Offices on Ballot Pages. The order of the titles of the offices to be filled or for which nominees are to be chosen shall be substantially as follows:

1. President & Vice Presidential Electors
2. Governor
3. U.S. Senate
4. U.S. House of Representatives
5. Tennessee Senate
6. Tennessee House of Representatives
7. Supreme Court Judge
8. Court of Appeals Judge
9. Court of Criminal Appeals Judge
10. Circuit Court Judge
11. Chancellor
12. Criminal Court Judge
13. District Attorney General
14. Public Defender
15. County Executive
16. County Legislative Offices
17. Assessor of Property
18. Trustee
19. General Sessions Judge
20. Sheriff
21. Circuit Court Clerk
22. County Clerk
23. Register of Deeds
24. Elective County Department Offices including Road Superintendent and School Board
25. Offices, which do not fall into any classification above.
26. If several offices to be filed are within a single classification, they shall be arranged in alphabetical order.

VOTING ABSENTEE BY MAIL

2-6-202 Voting Absentee By Mail. A voter who desires to vote absentee by mail must request an absentee ballot not more than ninety (90) days and no less than seven (7) days before the election.

2-6-203 Filling out Application to Vote By Mail and Voter's Affidavit. The voter may have anyone the voter chooses write the voter's request for an absentee ballot or for an absentee voting by mail application, EXCEPT FOR THE VOTER'S SIGNATURE OR MARK.

2-6-106 Voter Unable to Write Signature or Make Mark. If an applicant or voter is so disabled that the applicant or voter cannot write a signature or make a mark where required, the action of the person who offers assistance shall be witnessed by one (1) additional person. Both the person giving assistance and the witness shall sign their names and provide their addresses.

2-6-202 Requesting to Vote Absentee by Use of a Fax Machine. A person may make a request to vote absentee by mail by the use of a fax machine. But the voter must put in writing the following information: Voter's Name, Residence Address, Social Security Number, the address to mail the ballot to, the specific election the voter wishes to vote in, the reason the voter wishes to vote absentee, and the voter's signature.

2-6-201 Methods of Voting Absentee By Mail. A registered voter in any of the following circumstances may vote by mail:

- A. Persons who will be outside the county where the voter is registered during the early voting period and on election day during the hours the polls are open;
- B. A voter that is enrolled as a full-time student in an accredited college, university, or similar accredited institution of learning in this state, which is outside the county where the voter is registered. This provision also applies to the spouse who resides with the student.
- C. A person who is on the Permanent Disabled Register; (To be eligible for placement on the register, a voter shall file a statement by the person's licensed physician with the county election commission stating under the penalty of perjury, that in the physician's professional medical judgment, the patient (voter) is medically unable to appear at the polling place to vote and medically unable to go to the early voting site to early vote;
- D. Full-time residents of licensed nursing homes outside of Tipton County
- E. Jurors for a federal or state court who will be serving on election day and during all days of the early voting period
- F. Persons age sixty-five (65) or over
- G. A person who is hospitalized, ill or physically disabled
- H. A person who is a caretaker for a hospitalized, ill or physically disabled person
- I. A person who is a candidate for office in that particular election
- J. A person who is an election official in that particular election
- K. A person who will be observing a Religious Holiday on election day and all days of early voting
- L. A person possessing a valid commercial driver license, and will be working outside the county or state during the early voting period and on Election Day;

CAMPAIGN ACTIVITY AT THE POLLING PLACE

T.C.A. §. 2-7-111 Campaign Free Zone

In *Burson v. Freeman* the United States Supreme Court stated that it is not unreasonable for states to provide voters 15 seconds before entering the polling place with time that is their own, “as free from interference as possible.” Tennessee’s 100' boundary law provides those 15 seconds. Basically the campaign free zone is designed as a zone where the voter can feel free from any form of intimidation or pressure. The following information is designed to answer the most often asked questions about how Tennessee applies the law establishing the campaign free zone.

1. **WHERE DOES THE CAMPAIGN FREE ZONE END?**

- A. Generally - 100' from the entrances of the building in which the election is being held.
- B. At the beginning of private property over which the county election commission has no control.
- C. Under *Burson v. Freeman*, the election commission may prohibit campaign signs and electioneering in public sidewalks and streets if those areas fall within the 100' boundary line.

2. **HOW MUST THE CAMPAIGN FREE ZONE BE DESIGNATED?**

- A. Signs marking the boundary line must be placed at the end of the required distance from the entrance of the building

3. **WHAT ACTIVITY IS PROHIBITED IN THE CAMPAIGN FREE ZONE?**

- A. No campaign posters, signs or other campaign materials may be displayed.
- B. No person may distribute campaign materials or solicit votes for or against any person or political party or position on a question.
- C. No person may solicit or collect for any cause, except:
 - 1. Shelby County
 - 2. Normal activities that may occur at such polling place such as a church, school, grocery, etc.

4. **WHAT ACTIVITY IS PERMITTED IN THE CAMPAIGN FREE ZONE?**

- A. An individual voter may bring a sample ballot or other campaign literature inside the boundary as long as the voter does not display the campaign literature to other voters
- B. If the parking place of the polling place lies within the boundary, then a vehicle having campaign literature displayed on it may be parked within the boundary, only for as long as necessary for the occupant of the vehicle to vote. This does not include vans that transport multiple persons.

5. **WHAT ACTIVITY IS PERMITTED OUTSIDE OF THE CAMPAIGN FREE ZONE?**

- A. Campaign workers may distribute campaign literature and other materials and may speak to voters regarding the candidates and issues.
- B. Candidate may be present and/or have signs in the area.
- C. Persons may solicit and collect for any legal cause.

CAMPAIGN ACTIVITY AT THE POLLING PLACE

T.C.A. § 2-7-111 Campaign Free Zone

6. **HOW DOES THE CAMPAIGN FREE ZONE APPLY TO COUNTY ELECTION COMMISSION OFFICES LOCATED IN COURTHOUSES DURING EARLY VOTING?**

- A. Outside the Courthouse –
 - 1. Signs marking the boundary line must be placed
- B. Inside the Courthouse –
 - 1. Incumbent candidates may not linger around the county election commission office any longer than necessary to vote
 - 2. Incumbent candidates may not be allowed to talk in the courthouse or in the campaign free zone to individuals who have come to vote
 - 3. Campaign literature must be removed

7. **WHO ENFORCES THE CAMPAIGN FREE ZONE?**

- A. Officer of elections at each polling location
- B. County Election Commission

8. **WHEN A VIOLATION OCCURS, TO WHAT EXTENT MAY THE COUNTY ELECTION COMMISSION GO TO ENFORCE THE CAMPAIGN FREE ZONE?**

- A. Contact the police.
- B. If deemed necessary, forward information to the district attorney for violation of TCA §2-19-119

9. **WHAT HAPPENS WHEN THE PROPERTY OWNER DOES NOT WANT CAMPAIGN ACTIVITY ON ANY PART OF THE PROPERTY USED FOR THE POLLING PLACE?**

- A. The owner must be notified that the county election commission cannot prohibit campaign activity that occurs outside of the campaign free zone.
- B. If the owner refuses to allow campaign activity beyond the campaign free zone, the county election commission should relocate the polling place.

Information regarding the campaign free zone was taken from the brochure “Campaign Free Zone” published by the Tennessee Division of Elections.

POLL WATCHERS

T.C.A. § 2-7-104

Poll watchers act as an additional check in the checks and balances established in the election code. The poll watchers serve as the eyes and ears of the candidates or organization they represent in a way that the election officials who conduct the election cannot. The poll watchers represent the interests of a particular side, rather than merely the interest of the election process.

The following information is designed to answer the most often asked questions that range from the process of appointing poll watchers to how the poll watchers may conduct themselves in the polling place. All appointed poll watchers must have reached the age of seventeen (17) by Election Day. The rights and limitations of the poll watchers are discussed.

Poll watchers and those appointing poll watchers must understand that the poll watcher should be a complement to the election process. Any poll watcher who compromises the integrity of the election by violating the law will not be allowed to remain in a polling place and, if appropriate, may be referred to the local district attorney general.

1. **WHO MAY APPOINT POLL WATCHERS?**

- A. Each political party.
- B. Each candidate in a general or primary election.
- C. Any citizen's organization interested in a question on the ballot.
- D. Any citizen's organization interested in preserving the purity of elections and in guarding against abuse of the elective franchise.

2. **HOW MANY POLL WATCHERS MAY BE APPOINTED?**

- A. Political parties may appoint two (2)
- B. Each candidate may appoint one (1)
- C. Each citizen's organization may appoint two (2)

3. **HOW DO POLL WATCHERS GET APPOINTED?**

- A. Appointments must be submitted to the county election commission, and
- B. Appointments must be written and signed by the person or organization authorized to make the appointment.
- C. Appointments may designate same persons to serve in more than one polling location.

4. **TO WHAT LOCATIONS MAY POLL WATCHERS BE APPOINTED?**

- A. Early Voting: County Election Commission Office, and/or Satellite Location(s), Nursing Homes and penal institutions.
- B. Election Day: Polling site, and Absentee Counting Board

5. **WHEN MUST APPOINTMENTS BE MADE?**

- A. Early Voting:
 - 1. No later than 12:00 noon two (2) business days before the first day of early voting, or
- B. Election Day:
 - 1. Appointments must be submitted to the election commission no later than (12:00) noon of the second (2) business day before the election.

POLL WATCHERS

T.C.A. § 2-7-104

6. **WHO MAY NOT BE APPOINTED AS A POLL WATCHER?**
 - A. Anyone who will be or who is a candidate for an office on the ballot
 - B. County election commission members

7. **WHAT MAY POLL WATCHERS DO?**
 - A. Watch and inspect performance in and around the polling place.
 - B. Through judges, challenge voters.
 - C. During preparation and certification, inspect the poll lists.
 - D. Inspect the ballots while being called and counted.
 - E. During preparation and certification, inspect the tally sheets.
 - F. Present a protest of any aspect of the conduct of the election to the officer of elections, county election commissioner or inspector.

8. **WHAT MAY POLL WATCHERS NOT DO?**
 - A. Interfere with any voter in preparing or casting voter's ballot.
 - B. Prevent election official from performing his or her duties.
 - C. Inspect poll lists during the election hours.
 - D. Observe the giving of assistance to a voter.
 - E. Wear campaign material of any kind during the performance of his or her duties.
 - F. Engage in any campaign activity while serving as a poll watcher.
 - G. Exit the room of the counting board after the actual counting of ballots has begun.
 - H. Possess electronic devices when they are observing the duties of the absentee counting board

9. **MAY POLL WATCHERS ENGAGE IN CAMPAIGN ACTIVITIES?**
 - A. In the polling place – NO
 - B. Outside the 100' Boundary:
 1. Yes, he or she may engage in campaign activity outside of the campaign free zone.
 2. However, once the poll watcher resumes his or her duties as a poll watcher, he or she must cease the campaign activity.

Information regarding poll watchers was taken from the brochure "Poll Watchers" produced by the Tennessee Division of Elections.

T.C.A. §2-19-120 - Commonly Referred to as the “Disclaimer Law”

I. Highlights of the Disclaimer Law

A. To whom does it apply? Candidates

1. Definition of Candidates – T.C.A. 2-10-102(3) provides that an individual who has made a formal announcement of candidacy or who is qualified under the law of this state to seek nomination for election or elections to public office, or has received contributions or made expenditures except for incidental expenditures to determine if one shall be a candidate, or has given consent for a campaign committee to receive contributions or make expenditures with a view to bringing about the individual’s nomination for election or election to state public office.

B. When does the statute apply? Whenever any person:

1. Makes an expenditure to finance a communication that expressly advocates the election or defeat of a clearly identified candidate, or

2. Solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing or any form of general public political advertising.

3. Exceptions: The requirements of this section do not apply to bumper stickers, pins, button, pens, novelties, and similar small items upon which the disclaimer cannot be conveniently printed.

C. What is the penalty for its violation? Class C misdemeanor

D. Who enforces the statute? The District Attorney General

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II. Actual Text of the Statute

(A) Whenever any person makes an expenditure for the purpose of financing a communication that expressly advocates the election or defeat of a clearly identified candidates, as defined by TCA 2-10-102, or that solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing or any other form of general public political advertising, a disclaimer meeting the requirements of subdivision (a)(1), (2), (3) or (4) shall appear and be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice of the identity of persons who paid for and, where required, who authorized the communication. Such person is not required to place the disclaimer on the front face or page of any such material as long as a disclaimer appears within the communication, except on communications, such as billboards, that contain only a front face.

(1) Such communication, including any solicitation, if paid for and authorized by a candidate, an authorized committee of a candidate, or its agent shall clearly state that the communication has been paid for by the authorized political committee, or the addition to the identity of the person who is the head of such committee, or the identity of the treasurer of such committee.

(2) Such communication, including any solicitation, if authorized by a candidate, an authorized committee of a candidate or an agent thereof, but paid for by any other person, shall clearly state that the communication is paid for by such other person and is authorized by such candidates, authorized committee or agent.

(3) Such communication, including any solicitation, if made on behalf of or in opposition to a candidate., but paid for by any other person and not authorized by a candidate, authorized committee of a candidate or its agent, shall clearly state that the communication has been paid for by such person and is not authorized by any candidate or candidate's committee.

(4) For solicitations directed to the general public on behalf of a political committee which is not an authorized committee of a candidate, such solicitation shall clearly state the full name of the person who paid for the communication.

(B) For purposes of this section, whenever a separate segregated fund solicits contributions to the fund from those persons it may solicit, such communication shall not be considered a form of general public advertising. Such advertisements shall also include the name of the printer of such advertisement, and the identity of the person who paid for the advertisement.

(1) [Deleted by 2004 amendment.]

(2) [Deleted by 2004 amendment.]

(3) The requirements of this section do not apply to bumper stickers, pins, buttons, pens, novelties, and similar small items upon which the disclaimer cannot be conveniently printed.

(4) A violation of this section is a Class C misdemeanor.

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CAMPAIGN FINANCIAL DISCLOSURE RULES

2-10-105. Filing of contribution, loan and expenditure statements – Eligible treasurers – Additional reporting requirements.

(a) Each candidate for state public office or political campaign committee in a state election shall file with the registry of election finance a statement of all contributions received and all expenditures made by or on behalf of such candidate or such committee. The statement of each candidate for state public office shall include the date of the receipt of each contribution and the statement of a political campaign committee in a state election shall include the date of each expenditure, which is a contribution to a candidate. Each candidate for the office of member of the general assembly and each political campaign committee for such candidate shall file a copy of such statement with the county election commission in the county of which the candidate is a resident.

(b) Each candidate for local public office or political campaign committee for a local election shall file with each county election commission of the county where the election is held, a statement of all contributions received and all expenditures made by or on behalf of such candidate or committee. The statement of each candidate for local public office shall include the date of the receipt of each contribution and the statement of a political campaign committee for a local election shall include the date of each expenditure, which is a contribution to a candidate.

(c) The statements required by subsections (a) and (b) of each candidate, each single candidate political campaign committee or single measure political campaign committee should be filed in the following manner:

(1) Statements for any primary election or referendum, from and including the day that the first contribution was received or the first expenditure made, whichever was earlier, through the tenth (10th) day before any such election or referendum shall be filed not later than seven (7) days before the election. The reporting period of any statement filed subsequent to a report filed under subdivision (c)(5) shall commence the day after the period covered by such prior filing. Each independent candidate for a state or local public office, which office has a primary election, shall file all primary reports required by this subsection, even though such independent candidate is not included on the ballot in such primary election;

(2) Statements for any special or general election or referendum:

(A) From and including the day that the first contribution was received or the first expenditure made, whichever was earlier; or

(B) From the last day included in any prior report whichever is later, through the tenth (10th) day before any such election or referendum shall be filed not later than seven (7) days before the election;

(3) Statements for any runoff election, from the last day included in any prior report through the tenth (10th) day before any such election shall be filed not later than seven (7) days before the election;

(4) Statements from the last day of the prior report through the forty-fifth (45th) day after the primary, general, special, or runoff election or referendum shall be filed not later than forty-eight (48) days after the election. When no subsequent report is required by this section or TCA 2-10-106 because such statement has a zero (\$0) balance of contributions and expenditures, such statement shall be the final statement; and

(5) Any candidate or political campaign committee filing a statement pursuant to subsection (e), more than one year before the election in which the candidate or committee expects to be involved, shall file reports with the registry of election finance or

CAMPAIGN FINANCIAL DISCLOSURE RULES

2-10-105. (Continued)

the county election commission, whichever is required by subsections (a) and (b), on February 1 immediately succeeding the filing, and annually thereafter through the year of the election. The ending date of a reporting period for such a filing is January 29 of the year of the filing. No such annual report need be made if the reporting date is within sixty (60) days of a report otherwise required by this part.

(d) Each multi-candidate political campaign committee shall file reports according to TCA 2-10-107 quarterly, within ten (10) days following the first day of January, April, July, and October respectively. Each report shall include transactions occurring since the preceding report.

(e) Each candidate and each political campaign committee shall certify the name and address of the candidate's or committee's political treasurer to the registry of election finance and/or the county election commission, where appropriate, before the candidate or committee may receive a contribution or make an expenditure in a state or local election. A state public officeholder shall also certify the name and address of such officeholder's political treasurer to the registry of election finance before the officeholder or the officeholder's political campaign committee may accept a contribution to defray the expenses incurred in connection with the performance of the officeholder's duties or responsibilities, and the local officeholder shall so certify the name and address of such officeholder's treasurer to the appropriate county election commission. A candidate may appoint such candidate as political treasurer. A candidate or political campaign committee shall notify the registry of election finance or county election commission of any changes in the office of its political treasurer. Any such statements filed pursuant to this part shall be cosigned by the candidate, if such candidate appoints a political treasurer other than the candidate.

(f) All records used by the candidate or political campaign committee to complete a statement required by this part shall be retained by the candidate or political campaign committee for at least one (1) year after the date of the election to which the records refer.

(g) Separate reporting shall be required for both primary elections and general elections. Cumulative reporting for both primary and general elections for the same office in the same year is expressly prohibited. An appointment of a political treasurer pursuant to subsection (e) may be cumulative, and one (1) such appointment shall be sufficient for both a primary and general election for the same office in the same year. A successful primary candidate shall not be required to certify a political treasurer for the general election if the candidate had previously certified such political treasurer prior to the primary election.

(h) During the period beginning at twelve o'clock midnight (12:00) of the tenth day prior to a primary, general, runoff or special election or a referendum, and extending through twelve o'clock (12:00) midnight of such election or referendum day, each candidate or political campaign committee shall by telegram, fax machine, hand delivery or overnight mail delivery file a report with the registry of election finance or the county election commission, whichever is required by subsections (a) and (b) of:

(1)(A) The full name and address of each person from who the candidate or committee has received and accepted a contribution, loan or transfer of funds during such period and the date of the receipt of each contribution in excess of the following amounts: a committee participating in the election of a candidate for any state public office, five thousand dollars (\$5,000); a committee participating in the election of a candidate for any local public office, two thousand five hundred dollars (\$2,500). If the committee is

CAMPAIGN FINANCIAL DISCLOSURE RULES

2-10-105. (Continued)

participating in the election of candidates for offices with different reporting amounts, the amount shall be the lowest for any candidate in whose election the committee is participating or in which any committee is participating to which it makes or from which it receives transfer of funds; and

(B) Such report shall include the amount and date of each such contribution or loan reported, and a brief description and valuation of each in-kind contribution. If a loan is reported, the report shall contain the name and address of the lender, of the recipient of the proceeds of the loan, and of any person who makes any type of security agreement binding such person or such person's property, directly or indirectly, for the repayment of all or any part of the loan.

(2) Each report required by this subsection shall be filed within seventy-two (72) hours after the time the contribution or loan is received. If such time falls other than during regular working hours, the report shall be filed after the opening of the office of the registry of election finance or the county election commission, whichever is required by subsections (a) and (b) on the next working day after the time at which the report is otherwise due.

(3) The registry shall develop appropriate forms for the report required by this subsection and make such forms available to the candidates and the county election commissions.

(i) Reports filed under this subsection shall not be cumulative. Each report shall reflect the total for its own reporting period.

8-50-501. Disclosure statements of conflict of interests by certain public officials. Each candidate or appointee to a public office must file a disclosure statement no later than thirty (30) days after the last day provided by law for qualifying as a candidate. A person required to file the form shall have one (1) attesting witness sign the form before it is submitted to the appropriate authority. The form need not be notarized before it is submitted to the appropriate election authority.

2-10-302. Contribution Limits. The following dollar limitations are placed on campaign contributions made by individuals and PACS:

OFFICE SOUGHT	PERSON	PAC	TOTAL CONTRIBUTIONS FROM PACS (EXCLUDING POLITICAL PARTY PACS)	TOTAL CONTRIBUTIONS FROM POLITICAL PARTY PACS	CANDIDATE'S PERSONAL MONIES
STATEWIDE OFFICE	\$2,500	\$7,500	50% OF TOTAL CONTRIBUTIONS	\$250,000	NO LIMIT
STATE SENATE	\$1,000	\$7,500	\$75,000	\$40,000	NO LIMIT
OTHER STATE OFFICES AND ALL LOCAL ELECTED OFFICES	\$1,000	\$5,000	\$75,000	\$20,000	NO LIMIT

CAMPAIGN FINANCES

Office Where Reports Are to be Filed

OFFICE CANDIDATE IS SEEKING	CAMPAIGN FINANCIAL DISCLOSURE	STATEMENT OF INTERESTS
<i>GOVERNOR</i>	<i>REGISTRY</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>DELEGATE TO TENNESSEE CONSTITUTIONAL CONVENTION</i>	<i>REGISTRY</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>DISTRICT ATTORNEY GENERAL and PUBLIC DEFENDER</i>	<i>REGISTRY</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>SUPREME COURT JUSTICE, JUDGE OF COURT OF APPEALS, JUDGE OF COURT OF CRIMINAL APPEALS</i>	<i>REGISTRY</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>STATE SENATOR</i>	<i>REGISTRY</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>STATE REPRESENTATIVE</i>	<i>REGISTRY</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>ALL OTHER JUDGES</i>	<i>COUNTY ELECTION COMMISSION IN EACH COUNTY WHERE THE CANDIDATE IS ON THE BALLOT</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>MEMBER OF EXECUTIVE COMMITTEE OF A POLITICAL PAC</i>	<i>COUNTY ELECTION COMMISSION IN COUNTY OF CANDIDATE'S RESIDENCE</i>	<i>TENNESSEE ETHICS COMMISSION</i>
<i>ALL OTHER CANDIDATES FOR ELECTED PUBLIC OFFICE (Includes elected COUNTY and CITY offices)</i>	<i>COUNTY ELECTION COMMISSION IN COUNTY OF CANDIDATE'S RESIDENCE</i>	<i>TENNESSEE ETHICS COMMISSION</i>

If a candidate is seeking an office for which service is part-time, compensation is less than \$500 a month and the candidate does not spend more than \$1,000 to get elected to office, the candidate does not have to file campaign financial disclosure statements, unless the office sought is a Chief Administrative Office. However, the candidate must file a Statement of Interests.

If a candidate is running for the same office that he or she holds and has filed an annual Statement of Interests in January of the same year as the election, then the candidate is not required to file another statement.

Congressional and U.S. Senatorial candidates are not required to file State Financial Disclosure Forms or Statement of Interests. They should call 1-800-424-9530 for Federal reporting forms. The Registry of Finance's phone number and address are as follows:

(615) 741-7959
Suite 1614
404 James Robertson Parkway
Nashville, TN 37243-1360

If a candidate is seeking an office for which service is part-time, compensation is less than \$500 a month and the candidate does not spend more than \$1,000 to get elected to office, the candidate does not have to file campaign financial disclosure statements, unless the office sought is a Chief Administrative Office. However, the candidate must file a Statement of Interests.

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