

# **ELECTION INFORMATION HANDOUT**



**BY**

**SARAH FAIN**

**ADMINISTRATOR OF ELECTIONS**

**UNICOI COUNTY ELECTION COMMISSION**

**ELECTION YEAR 2024**

# TABLE OF CONTENTS

TENNESSEE ELECTION INTEGRITY .....	3
ELECTION COMMISSION OFFICE INFORMATION .....	4
2024 ELECTION CALENDAR .....	5
MARCH ELECTION OFFICES & DATES .....	6
AUGUST ELECTION OFFICES & DATES .....	6-7
NOVEMBER ELECTION OFFICES & DATES.....	7
NOMINATING PETITION INFORMATION .....	7-8
QUALIFICATIONS FOR OFFICES .....	9-10
PHOTO ID REQUIREMENTS FOR VOTING .....	11
REGISTRATION DEADLINES & EARLY VOTING DATES .....	12
REGISTRATION AND VOTING FACTS.....	12-13
CAMPAIGNING INFORMATION.....	13
TOWN OF ERWIN & UNICOI SIGN ORDINANCES .....	13
ABSENTEE VOTING BY-MAIL .....	14
CAMPAIGN FINANCIAL SUMMARY .....	15-16
“FISHBOWL” CAMPAIGN FINANCE INFORMATION .....	17
CAMPAIGN FINANCIAL FILING DEADLINES.....	18
DISCLAIMER LAW INFORMATION.....	19
THE FEDERAL HATCH ACT.....	20-21



# TENNESSEE ELECTION INTEGRITY

*Ranked  
#1  
in the  
Country*



## How Tennessee Is Protecting the Ballot Box:

- Voting machines used in Tennessee are not connected to the internet.
- Bipartisan county election commissions must ensure voting machines are publicly tested before every election.
- Ineligible voters are removed from voter rolls through mandated list maintenance procedures.
- All elections are administered locally and overseen by a bipartisan county election commission.
- Tennesseans must present a valid Tennessee or federally issued government photo ID to vote. IDs issued by other states, private organizations, and college student IDs are not acceptable.
- Tennessee law does not allow Election Day registration.
- Voters must request a ballot and meet one of fourteen qualifying conditions to vote absentee by-mail.
- Election officials match the signature on the absentee by-mail ballot envelope with the one on file in the Elections office.
- Absentee by-mail ballots are watermarked.
- Bipartisan counting boards count absentee by-mail votes.
- Absentee by-mail ballots cast during early voting are not counted until Election Day.
- Bipartisan poll officials help tabulate election results at polling locations.
- Election Day totals are unofficial. All county election commissions must verify election results before they are certified.
- Tennessee law does not allow out-of-state poll watchers or foreign election observers.
- Tennessee law places strong restrictions on private funding of election administration.
- Committing voter fraud is a felony in Tennessee.

***In the Volunteer State It's Easy to Vote but Hard to Cheat.***

[GoVoteTN.gov](http://GoVoteTN.gov)



# Unicoi County Election Commission

106 NOLICHUCKY AVENUE  
P O BOX 76  
ERWIN, TN 37650

\*\*PHONE NUMBER – (423) 743-6521\*\*  
FAX NUMBER – (423) 735-7327  
E-MAIL ADDRESS – [Unicoi.Commission@tn.gov](mailto:Unicoi.Commission@tn.gov)  
WEBSITE – [unicoivotes.com](http://unicoivotes.com)

## \*\*OFFICE HOURS\*\*

MONDAY – FRIDAY  
9:00 A.M. TO 12:00 NOON\*  
1:00 P.M. TO 5:00 P.M.

\*OFFICE WILL REMAIN OPEN FROM 9:00 A.M. TO 5:00 P.M.  
DURING EARLY VOTING

OPEN ON SATURDAY AS REQUIRED BY STATE LAW  
Dates are published in the Erwin Record

## **UNICOI COUNTY ELECTION COMMISSIONERS**

Roland D. Bailey, CHAIRMAN  
Marvin H. Rogers, SECRETARY  
William E. Beckman, MEMBER  
Connie L. Buchanan, MEMBER  
Thomas M. Reeves, MEMBER

ADMINISTRATOR OF ELECTIONS  
Sarah Fain

DEPUTY ADMINISTRATOR  
Teresa J. McFadden

# CALENDAR FOR COUNTY PRIMARY, COUNTY GENERAL, AND NOVEMBER MUNICIPAL ELECTIONS

Candidates must file an Appointment of Treasurer form prior to receiving contributions or making expenditures on their campaign, unless they qualify for a Financial Exemption and meet the requirements throughout their campaign.	
Monday, October 16, 2023	First day Nominating Petitions for County Primary/Independent candidates may be issued
Thursday, December 14, 2023	<u>12:00 NOON is the Deadline for County Primary/Independent candidates to file their nominating petitions for County offices</u>
Thursday, December 21, 2023	<u>12:00 NOON is the withdrawal Deadline for County Primary/Independent candidates for County offices</u>
Monday, January 13, 2024	Statement of Interest due to BECF for County Primary/Independent candidates
Monday, February 5, 2024	First day Nominating Petitions for State/Federal Primary may be issued
Monday, February 5, 2024	Last day to register to vote for the March Primary
Wednesday, February 14, 2024	First day of Early Voting for March Primary
Tuesday, February 27, 2024	Last Day of Early Voting for March Primary
Tuesday, February 27, 2024	Pre-Primary Campaign Financial Report due (unless Financial Exemption)
Tuesday, March 5, 2024	COUNTY PRIMARY ELECTION DAY
Thursday, April 4, 2024	<u>12:00 NOON is the Deadline for State/Federal candidates to file their nominating petitions</u>
Thursday, April 11, 2024	<u>12:00 NOON is the withdrawal Deadline for State/Federal candidates</u>
Wednesday, April 10, 2024	1 <sup>st</sup> Quarter Campaign Financial Report due (unless Financial Exemption)
Saturday, May 4, 2024	Statement of Interest due to BECF for State/Federal candidates
Monday, June 17, 2024	First day Nominating Petitions for Municipal candidates may be issued
Tuesday, July 2, 2024	Last day to register to vote for the August Primary/General
Wednesday, July 10, 2024	2 <sup>nd</sup> Quarter Campaign Financial Report due (unless Financial Exemptions)
Friday, July 12, 2024	First day of Early Voting for August Primary/General
Thursday, July 25, 2024	Pre-General Campaign Financial Report due (unless Financial Exemptions)
Saturday, July 27, 2024	Last day of Early Voting for August Primary/General
Thursday, August 1, 2024	COUNTY GENERAL AND STATE/FEDERAL PRIMARY ELECTION DAY
Thursday, August 15, 2024	<u>12:00 NOON is the Deadline for Municipal candidates to file their nominating petitions</u>
Thursday, August 22, 2024	<u>12:00 NOON is the withdrawal Deadline for Municipal candidates</u>
Saturday, September 14, 2024	Statement of Interest due to BECF for Municipal candidates
Monday, October 7, 2024	Last day to register to vote for the November General
Thursday, October 10, 2024	3 <sup>rd</sup> Quarter Campaign Financial Report due (unless Financial Exemptions)
Wednesday, October 16, 2024	First day of Early Voting for November General
Tuesday, October 29, 2024	Pre-General Campaign Financial Report due (unless Financial Exemptions)
Thursday, October 31, 2024	Last day of Early Voting for November General
Tuesday, November 5, 2024	STATE/FEDERAL GENERAL AND TOWN OF ERWIN AND TOWN OF UNICOI ELECTION DAY

**OFFICES FOR ELECTION IN 2024**  
**ELECTION AND PETITION DATES**

**TUESDAY, MARCH 5, 2024**

**COUNTY REPUBLICAN and DEMOCRATIC PRIMARY**

DELEGATE-CANDIDATES FOR PPP (MUST SUBMIT TO STATE OFFICE)  
ASSESSOR OF PROPERTY  
COUNTY COMMISSION DISTRICT 3 (UNEXPIRED TERM)  
SCHOOL BOARD DISTRICT 2 (TWO SEATS) \*\*REPUBLICAN OR  
INDEPENDENT\*\*

**THURSDAY, DECEMBER 14, 2023 – 12:00 NOON**

QUALIFYING DEADLINE FOR REPUBLICAN PRIMARY AND INDEPENDENT  
CANDIDATES FOR ABOVE OFFICES (*PPP DELEGATE-CANDIDATES MUST  
QUALIFY BY NOON ON TUESDAY, DECEMBER 3, 2019*)

**THURSDAY, DECEMBER 21, 2023 – 12:00 NOON**

WITHDRAWAL DEADLINE FOR ABOVE OFFICES. WITHDRAWAL MUST BE IN  
WRITING WITH CANDIDATE'S ORIGINAL SIGNATURE

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**THURSDAY, AUGUST 1, 2024**

**COUNTY GENERAL**

WINNERS OF THE MARCH COUNTY PRIMARY  
and INDEPENDENT CANDIDATES

**STATE AND FEDERAL DEMOCRATIC AND REPUBLICAN PRIMARY**

US SENATE  
US HOUSE OF REPRESENTATIVES (DISTRICT 1)  
TENNESSEE HOUSE OF REPRESENTATIVES (DISTRICT 4)

**THURSDAY, APRIL 4, 2024– 12:00 NOON**

QUALIFYING DEADLINE FOR STATE PRIMARY  
AND INDEPENDENT CANDIDATES FOR THE ABOVE OFFICES

**THURSDAY, APRIL 11, 2024 – 12:00 NOON**  
WITHDRAWAL DEADLINE FOR STATE PRIMARY AND INDEPENDENT  
CANDIDATES FOR ABOVE OFFICES. WITHDRAWAL MUST BE IN WRITING  
WITH CANDIDATE'S ORIGINAL SIGNATURE

**TUESDAY, NOVEMBER 5, 2024**

**STATE AND FEDERAL ELECTION**

PRESIDENT  
WINNERS OF THE AUGUST PRIMARY  
INDEPENDENT CANDIDATES

**NON PARTISAN**

**TOWN OF ERWIN ELECTION**  
MAYOR AND 2 ALDERMEN  
**TOWN OF UNICOI ELECTION**  
MAYOR AND 2 ALDERMEN

**THURSDAY, AUGUST 15, 2024 – 12:00 NOON**  
QUALIFYING DEADLINE FOR TOWN OF UNICOI AND TOWN OF ERWIN  
CANDIDATES FOR ABOVE OFFICES

**THURSDAY, AUGUST 22, 2024 – 12:00 NOON**  
WITHDRAWAL DEADLINE FOR ABOVE OFFICES. WITHDRAWAL MUST BE IN  
WRITING WITH CANDIDATE'S ORIGINAL SIGNATURE

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**Nominating Petition Information**

**(Issuing the Petition)**

1. All petitions must be obtained from the Unicoi County Election Commission Office. Each petition must have the candidate's name and office sought completed at the time the election office issues the petition.
2. An individual may pick up a petition on a candidate's behalf. Also, an individual may return the petition for the candidate. However, only the candidate may complete the candidate's section and the candidate's signature on each page. (No titles may be printed with the candidate's name.)
3. Each petition issued will be treated as a public record. Petition information will be released to the public and media on a regular basis.
4. No photocopies of any petition will be accepted as a replacement for the original. If you lose your original petition or need additional pages, you must obtain original petitions pages from the county election office.

**(Procedures to Follow While Circulating a Petition)**

5. A candidate's qualifying petition is required to have twenty-five **(25)** nominating signatures, other than the candidate's signature. These signatures must be people who are eligible to vote for the candidate. It is recommended that you obtain at least fifty **(50)** signatures due to the fact that some people may not be registered voters, may have become ineligible to vote, or have not changed their address with the Election Office.

6. Voters signing your petition should sign their name as it is listed on their voter registration record.

7. Each voter must sign their own name. Husbands cannot sign for their wives. Wives cannot sign for their husbands. Anyone who cannot sign their own name due to disability must have two (2) witnesses. (Example: John Doe witnessed by Sally Smith, 12 Main Street and Joe Brown, 10 Main Street.)

8. Voters should list their correct residential address including the city. Post Office Box numbers will not be accepted as a residential address.

#### **(Filing the Nominating Petition)**

9. Except for a petition for a delegate candidate, a postmark does not satisfy the filing deadline. For this reason the election commission recommends that the candidate, or their staff, hand deliver the petition in person. The election office staff will provide a receipt of the filed petition for the candidate's record. Any petition filed after the deadline will prevent the candidate's name from being placed on the ballot.

10. All candidates are encouraged to return their nominating petition before the last day of the qualifying period to avoid missing the **Noon Deadline**. Nominating petitions will be checked in the order in which they are returned.

11. The State of Tennessee does not use "filing fees" as part of the nominating process.

#### **(Petition Status & Qualification Process)**

12. The Unicoi County Election Commission will notify individuals in writing if the petition has or doesn't have the necessary number of signatures. Info about the Campaign Treasurer and any additional documents are included in this written notice.

13. The members of the Unicoi County Election Commission have the legal responsibility to place only the names of candidates on the ballot who have met all the necessary qualifications. A nominating petition is part of the process along with residency, felony inquiries, and qualification checks.

14. Individuals that have a felony conviction need to have their rights restored by a court before they can qualify, seek, or hold any office in the State of Tennessee. (A Certificate of Restoration is NOT sufficient.)

15. Candidates for Sheriff and Road Superintendent must file affidavits with state agencies two (2) weeks before the qualifying deadline. School Board candidates are required to file proof of high school graduation or proof of a GED. Constable candidates must file a notarized Affidavit. More information about this process will be provided by the election office specific to the office involved.

#### **(Withdrawal Process)**

16. Individuals that wish to withdraw their nominating petition have one week to do so after the qualifying deadline. A written request over the candidate's original signature must be filed prior to the 12:00 Noon deadline with the Unicoi County Election Commission. A fax will not be accepted. A phone call will not be accepted.

#### **(Campaign Financial Documents)**

17. Under state law, candidates for local elected office are **required to file financial disclosure documents in a timely manner**. Failure to file campaign financial documents timely usually produces negative publicity for a candidate because the local Press does a good job reporting the status of such filings. It is the candidate's sole responsibility to meet the requirements of the campaign financial laws.

18. An "Appointment of Treasurer Form" is always provided with the petition package. Under state law a candidate must file an Appointment of Treasurer before they spend or receive any money.

19. A person who has an unpaid civic penalty imposed by the Bureau of Ethics and Campaign Finance cannot qualify to seek public office unless such penalty has been paid and the required report has been filed as documented by the Registry of Election Finance.

20. The "Paid for by ..." statutes (Disclaimer Law) apply to campaigning for office in Tennessee. See page 24 for more information.



# QUALIFICATIONS FOR ELECTED OFFICES IN TENNESSEE

## General Provisions Governing Qualifications 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 of this state, 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 moneys 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 TCA § 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 of the district, circuit, or county for which he 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.

## UNITED STATES PRESIDENT

- 35 years of age; natural-born citizen; and a resident within the United States for 14 years. (US Constitution Article 2, Section 1[5])

## UNITED STATES SENATOR

- 30 years of age; Citizen of United States for 9 years; and a Tennessee resident. (US Constitution Article 1, Section 3)

## UNITED STATES REPRESENTATIVE

- 25 years of age; Citizen of United States for 7 years; and a Tennessee resident. (US Constitution Article 1, Section 2)

## STATE REPRESENTATIVE

- Basic qualifications of TCA 8-18-101; and
- Shall be a citizen of the United States, at least 21 years of age, and shall have resided 3 years in this State and 1 year in the county represented immediately preceding the election. (TN Constitution Article 2, Section 9)
- Each district shall be represented by a qualified voter of that district. (TN Constitution Article 2, Section 5a)

## ASSESSOR OF PROPERTY

- Basic qualifications of TCA 8-18-101; and
- Shall reside within the county. (TCA 8-48-101)
- No member of the county legislative body shall be eligible to hold the office of assessor. (TCA 67-1-503)

#### COUNTY COMMISSION

- Basic qualifications of TCA 8-18-101; and
- Shall reside within and be a qualified voter of the district represented. (TCA 5-5-102)

#### SCHOOL BOARD

- Basic qualifications of TCA 8-18-101; and
- Shall reside within and be a qualified voter of the district represented. (TCA 49-2-201)
- Shall file with the county election commission proof of graduation from high school or receipt of a GED, evidenced by a diploma or other documentation satisfactory to the commission. (TCA 49-2-202)
- No member of the county legislative body nor any other county official shall be eligible for election as a member of the county board of education. (TCA 49-2-202)
  - (4) Not have been convicted in any federal or state court of a felony; and
  - (5) Not have been separated or discharged from the armed forces of the United States with other than an honorable discharge;
- Shall file with the county election commission, in conjunction with the nominating petition, an affidavit sworn to and signed by the candidate affirming that the candidate meets the requirements of this section. (TCA 8-10-102)

# PHOTO ID REQUIREMENTS

All voters must present an ID, meeting the requirements below, containing the voter's name and photograph, whether voting early or on Election Day.

**Any of the following IDs may be used, even if expired:**

- Tennessee driver license with your photo
- United States Passport
- Tennessee Department of Safety and Homeland Security photo ID
- Photo ID issued by the federal or Tennessee state government, such as an employee ID from the U.S. Department of Energy with your photo
- United States Military photo ID, including a Veteran Identification Card
- Tennessee handgun carry permit card with your photo

**What forms of photo ID are NOT acceptable?**

- College student photo IDs
- Privately issued photo IDs, such as your discount club or bank card with your photo
- Photo IDs issued by other states or by county or city governments, including library cards

**Who is exempt?**

- Voters who vote absentee by mail (view requirements at <http://www.tn.gov/sos/election/bymail.htm>)
- Voters who are residents of a licensed nursing home or assisted living center and who vote at the facility
- Voters who are hospitalized
- Voters with a religious objection to being photographed
- Voters who are indigent and unable to obtain a photo ID without paying a fee

**What if I do not bring a photo ID to the polling place?**

- If you do not bring a photo ID, you will vote a provisional ballot.
- You will then have until two (2) business days after Election Day to return to the election commission office to show a valid photo ID.

**What if I do not have a photo ID?**

- You may obtain a free photo ID to vote from the Department of Safety and Homeland Security at a driver service center. You will need proof of citizenship (such as a birth certificate), two proofs of Tennessee residency (such as a voter registration card, utility bill, vehicle registration/title, or bank statement), and if your name differs from that on your primary ID, proof of the changed name (such as certified marriage certificate, divorce decree, certified court order, etc.).
- If you do not have a photo on your driver's license and no other form of valid photo ID, you may visit a driver service center to have your photo added to your license for free upon request.
- You may use the "express service" line at the driver service center to obtain your photo ID to minimize wait times.
- **NOTE:** If you already have a valid government-issued photo ID, the Department of Safety will not issue a free photo ID to you.
- Visit <http://www.tn.gov/safety/photoids.shtml> for more information.

**Where can I find out more information?**

- Call or visit your county election commission, or
- Visit our website at <http://www.GoVoteTN.com>

Please notify your county election commission if your address changes.



Tennessee Secretary of State Tre Hargett  
Division of Elections  
312 Rosa L. Parks Avenue, 7<sup>th</sup> Floor • Nashville, TN 37243  
Mark Goins, Coordinator of Elections  
Phone: 1-877-850-4959

Updated April 2013

# **VOTER REGISTRATION AND EARLY VOTING DATES BY ELECTION**

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**TUESDAY, MARCH 5, 2024  
PRESIDENTIAL PRIMARY AND COUNTY PRIMARY ELECTION**

**REGISTRATION DEADLINE  
FEBRUARY 5, 2024**

**EARLY VOTING DATES  
FEBRUARY 14 – 27, 2024**

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**THURSDAY, AUGUST 1, 2024  
STATE AND FEDERAL DEMOCRATIC AND REPUBLICAN PRIMARY  
COUNTY GENERAL ELECTION**

**REGISTRATION DEADLINE  
JULY 2, 2024**

**EARLY VOTING DATES  
JULY 12 – 27, 2024**

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**TUESDAY, NOVEMBER 5, 2024  
PRESIDENTIAL, STATE AND FEDERAL ELECTIONS  
TOWN OF ERWIN ELECTION  
TOWN OF UNICOI ELECTION**

**REGISTRATION DEADLINE  
OCTOBER 7, 2024**

**EARLY VOTING DATES  
OCTOBER 16 – 31, 2024**

## **REGISTRATION AND VOTING IN TENNESSEE**

- In this State, you do not register by political party.
- Only in Primary Elections do you declare a political party. You can only vote in one party's primary per election.
- If you do not vote in a primary election, you may still vote in the General Election.

- In a General Election, you may vote for any candidate on the ballot. You can vote a straight party ticket or a split ticket.
- If you will be eighteen years old on or by the date of the next election, you are eligible to register to vote (must register before the registration deadline).
- All name changes and address changes must be made no later than five days before an election or you will be required to vote as a Fail-Safe voter on Election Day.
- When you move to Unicoi Co. from another state or county, you must re-register to vote.
- If you are currently registered to vote in Unicoi County, but have moved to a new address within Unicoi County, you may change your address by coming by the office or writing your new address on the back of your voter's registration card, and mailing your card to P O Box 76, Erwin, TN 37650.
- If you register by mail, you must vote in person the first time. "In person" means either voting during early voting in the Election Commission office or on Election Day at your correct voting precinct.
- Voters with emergency circumstances such a death of family member, subpoena or service of process may vote not more than five days before and not later than the day prior to the election by contacting our office.
  - Hospitalized voters may request emergency registrars to assist him or her in voting an absentee ballot in the hospital (this service is only available for the hospital in Unicoi County). Request for emergency service must be received prior to the opening of the polls on Election Day.

## **CAMPAIGNING DURING EARLY VOTING OR ON ELECTION DAY**

TCA 2-7-111 prohibits campaigning within 100 feet of the entrance to a polling place. This boundary does not extend beyond the property on which the polling place is located or public property. Therefore, any legal campaign activity may take place beyond the grounds of the building on which a polling place is located, even if the adjoining property is closer than 100 feet from the entrance to the polling place. Display of campaign posters, signs or other campaign materials, distribution of campaign materials and solicitation of voters is strictly prohibited within 100 feet of any polling place. The Election Commission office is a polling place during early voting.

During the hours the polls are open on Election Day, candidates are not to enter a polling place unless the candidate is there to cast his/her vote (TCA 2-7-103) A candidate may only enter the election commission office during Early Voting to vote or conduct official business.

### **SIGN ORDINANCE (TOWN OF ERWIN)**

Each sign not to exceed nine (9) square feet in residential districts or thirty-two (32) square feet in all other districts, may be erected on private property during an election year no more than 45 days prior to the election. All campaign signs shall be removed by the property owner within seven (7) days after the results of an election are certified.

### **SIGN ORDINANCE (TOWN OF UNICOI)**

Each sign not to exceed 32 sq ft in all districts, may be erected on private property or 12 sq ft within the public right-of-way, no more than 60 days prior to the election. All campaign signs shall be removed by the property owner within 7 days after the results of an election are certified.

### **EARLY VOTING**

"A voter who desires to vote early shall go to the county election commission office within the posted hours not more than twenty days nor less than five days before the day of the election." TCA 2-6-102 (a)(1) Notwithstanding division (a)(1), when a presidential preference primary is held, a voter who desires to vote early for such elections shall go to the county election commission office within the posted hours not more than twenty (20) days nor less than seven (7) days before the day of the election." TCA 2-6-102 (c)

## EARLY VOTING BY MAIL

### YOU MAY VOTE ABSENTEE BY MAIL IF ONE OF THE FOLLOWING REASONS APPLIES:

1. The voter will be outside the county of registration during the early voting period and all day on Election Day (including members of the military or the spouse or dependents of a member of the military and overseas citizens) ;
2. The voter's licensed physician has filed a statement with the county election commission stating that, in the physician's judgment, the voter is medically unable to vote in person. The statement must be filed not less than seven (7) days before the election and signed under the penalty of perjury;
3. The voter or spouse of the voter is a full-time student at an accredited college, university or similar accredited institution of learning which is outside the county;
4. The voter resides in a licensed facility providing relatively permanent domiciliary care, other than a penal institution, outside the voter's county of residence;
5. The voter will be unable to vote in person due to service as a juror for a federal or state court;
6. The voter is sixty (60) years of age or older;
7. The voter has a physical disability and an inaccessible polling place;
8. The voter is hospitalized, ill, or physically disabled and unable to appear at my polling place to vote; and/or I have determined it is impossible or unreasonable to vote in-person due to the COVID-19 situation;
9. The voter is a caretaker of a person who is hospitalized, ill, or disabled; and/or I have determined it is impossible or unreasonable to vote in-person due to the COVID-19 situation;
10. The voter is a candidate for office in the election;
11. The voter serves as an election day official or is a member or employee of the election commission;
12. The voter's observance of a religious holiday prevents him or her from voting in person during the early voting period and on election day;
13. The voter or spouse of the voter possesses a valid commercial driver license or TWIC card and certifies that he or she will be working outside the state or county of registration during the early voting period and all day on Election Day.

### PROCEDURES FOR VOTING BY MAIL:

If you meet one of the above conditions and wish to vote by mail, you must request a ballot in writing over your signature. The request can be made as much as 90 days in advance of an election and not later than 7 days prior to an election. The request can be hand-delivered, mailed, faxed or scanned/photographed and emailed to the election office.

### THE REQUEST FOR VOTING BY MAIL CAN SERVE AS THE APPLICATION FOR BALLOT IF IT CONTAINS THE FOLLOWING INFORMATION:

1. The voter's name;
2. The voter's address in the county;
3. The voter's social security number;
4. The voter's date of birth
5. The address to mail the ballot to outside the county;
6. The election in which the voter wishes to vote (specify which party if it is a primary election);
7. The reason the voter is requesting to vote by mail; and
8. The voter's signature.

If the request does not contain all the information listed above, the election commission shall send the voter an application for an absentee ballot in order to obtain the needed information.

PHYSICIAN'S FORMS are available in the election commission office. Special rules apply for PERMANENT NURSING HOME RESIDENTS. For further information, call the Election Commission office. (423-743-6521)



# CAMPAIGN FINANCE

## For State and Local Candidates

Below is a brief summary of the campaign finance statutes for state and local candidates. **The purpose of this summary is to make potential candidates aware of their responsibilities under the campaign finance statutes.** For more complete info please go to our website ([www.tn.gov/tref](http://www.tn.gov/tref)), speak with your Administrator of Elections (AOE), e-mail the Registry of Election Finance (Registry) ([registry.info@tn.gov](mailto:registry.info@tn.gov)) or call the Registry (615.741.7959).

### Who

Any individual who becomes a candidate. A candidate is defined as an individual who:

- Makes a formal announcement of candidacy for office;
- Has qualified to seek office;
- Accepts contributions or makes expenditures to determine if one shall be a candidate(except for incidental expenditures); or
- Establishes a campaign committee to accept contributions or make expenditures to seek election.

### What

**Appointment of Treasurer Statement.** A candidate must file an Appointment of Political Treasurer Statement with the appropriate office before he or she may receive contributions or make expenditures. All campaign funds must be maintained in a bank or credit union insured by the FDIC or NCUA.

**Campaign Financial Disclosure Statements.** Candidates must file periodic campaign financial disclosure reports detailing their campaign contributions and expenditures unless they are exempt as described below.

**Exempt.** A local candidate is exempt from the filing requirements if he or she is seeking an office for which the service is part-time and the compensation is less than \$1,000 per month. This exemption does not apply if the candidate spends more than \$1,000 seeking the office or if the office being sought is mayor or chief administrative officer.

### When

Periodic campaign financial disclosure reports are due based on the date of the election(s). The Registry posts on its website ([www.tn.gov/tref](http://www.tn.gov/tref)) the filing dates for state elections and many common local elections. Local candidates should contact their AOE for filing dates.

### Where

State candidates file campaign financial disclosure reports electronically with the Registry. Local candidates file campaign financial disclosure reports on paper with their county election commission office.

Candidates will receive a notice from either the Registry or county election commission before a report is due.

### Information Required on Campaign Financial Disclosure Statements

**Short Form.** A candidate receiving \$1,000 or less and spending \$1,000 or less during a reporting period may file a short form. The only financial information required on a short form is balance on hand, loan balance and obligation balance.

**Long Form.** A candidate who does not meet the requirements to file a short form must file a disclosure detailing their contributions, in-kind contributions, expenditures, loans and obligations (see below for details).

**Contributions.** Contributions are monies (including a candidate's personal funds) or things of value received for the purpose of the election of any person to public office. Non-monetary contributions such as a donation of supplies are called in-kind contributions. Anonymous contributions may not be accepted.

Contributions totaling \$100 or less from a single source, up to a maximum of \$2,000, during the reporting period are not required to be itemized. They may be totaled with other single source contributions totaling \$100 or less and be reported as a single item. Any contributions totaling \$100 or less from a single source in excess of the \$2,000 maximum must be itemized. Contributions totaling more than \$100 from a single source during a reporting period are required to be itemized. Each itemized contribution must list the contributor’s full name, complete address, occupation, and employer. In addition, the amount, date of receipt, and election the contribution is designated for must be listed.

**Expenditures.** Expenditures are defined as any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the election of any person to public office.

All expenditures must be itemized. Each expenditure must list the payee’s full name and complete address along with the amount and purpose of the expenditure.

**Loans.** Campaign loans must be disclosed by a candidate during the reporting period that the loan is received. A loan must continue to be disclosed on future campaign financial disclosure statements until the loan is paid back in full or a statement has been filed stating the loan will not be repaid and is to be considered a contribution to the campaign.

**Obligations.** Goods and services received on credit which are not paid for during the reporting period received must be disclosed as an obligation by the candidate during the reporting period that the obligation is incurred. The obligation must continue to be disclosed by the candidate or committee until fully paid.

### **Contribution Limits**

There are limits on how much a person or a PAC may contribute (monetary and in-kind) to a candidate’s campaign per election (primary, general and run-off are considered separate elections) and how much monies that a candidate may accept for an election from a person or PAC. The limits for 2023/2024 are as follows:

Office	Person	PAC	Total Contributions from PACs Excluding Party PACs	Total Contributions from Party PACs
Statewide	\$4,900	\$14,400	50% of contributions	\$477,300
State Senate	\$1,800	\$28,800	\$286,400	\$76,300
State Rep	\$1,800	\$14,400	\$143,200	\$38,300
Local Candidate	\$1,800	\$9,400	\$143,200	\$38,300

A candidate may not accept more than \$50 in cash contributions from a single person per election.

### **Prohibited Uses of Campaign Funds**

A candidate for an elected public office is prohibited from using any campaign funds prior to, during or after an election for the candidate’s own personal use. Personal use is defined as any use of funds that would require the candidate or official to treat the use as gross income under Section 61 of the IRS Code of 1986. T.C.A. § 2-10-114(b)(1).

There are other specific uses of campaign funds that are prohibited. They may be found on the Registry website in the Candidate FAQs.

### **Failure to File Required Reports and Violating Other Campaign Finance Statutes**

The Registry has the authority to impose civil penalties of up to \$10,000 for late filing or failure to file required campaign financial disclosure reports.

The Registry also has the authority to impose civil penalty of up to \$10,000 or 115% of the amount of all contributions made or accepted in excess of the limitations of the Act, whichever is greater.



## FISHBOWLS

- An individual may only make **cash** contributions to a candidate of up to \$50 per election. This would include any contributions placed in a "fishbowl".
- Candidates must account for all contributions received; they are not allowed to accept anonymous campaign contributions (AG Opinion 97-065). Contributions placed in a "fishbowl" are anonymous unless records are kept.
- In order to comply with the restrictions of the campaign financial disclosure law, candidates must be able to identify the source of each contribution received. If a candidate can not account for each contribution received, they will not be able to determine if:
  - An individual has contributed more than \$50 in cash for an election.
  - An individual has exceeded \$100 in contributions for a reporting period and thus their contributions must be itemized.
  - An individual has exceeded the \$1,600 per election contribution limit.
- There are several methods that a candidate may use to keep records at a "fishbowl" event. These methods would include:
  - Have a campaign worker(s) stay with the "fishbowl" and take names and addresses as contributions are placed in the "fishbowl" (remember that occupation and employer must be obtained for any contributions that must be itemized).
  - Have each contributor complete a card with the appropriate information and have it placed in the "fishbowl" at the same time the contribution is made.
  - Have envelopes printed with blanks for the required information. Each contributor may place their contribution in the envelope, provide the required information and then drop it into the "fishbowl".

# Filing Dates 2024

## County Candidates (Includes Independent Candidates)

Report	Period Covered	Due Date
Pre-Primary <sup>1</sup>	01/16/2024 – 02/24/2024	02/27/2024
1 <sup>st</sup> Quarter	02/25/2024 – 03/31/2024	04/10/2024
2 <sup>nd</sup> Quarter	04/04/2024 – 06/30/2024	07/10/2024
Pre-General <sup>2</sup>	07/01/2024 – 07/22/2024	07/25/2024
3 <sup>rd</sup> Quarter	07/23/2024 – 09/30/2024	10/10/2024
4 <sup>th</sup> Quarter <sup>3</sup>	10/01/2024– 01/15/2025	01/27/2025

## Municipal Candidates

Report	Period Covered	Due Date
3 <sup>rd</sup> Quarter <sup>1</sup>	07/01/2024 – 09/30/2024	10/10/2024
Pre-General	10/01/2024 – 10/26/2024	10/29/2024
4 <sup>th</sup> Quarter	10/27/2024– 01/15/2025	01/27/2025

### NOTES:

<sup>1</sup> – If this is the candidate’s first report for this election, the beginning date of the report will be the date of the first contribution or expenditure or the candidate’s qualifying deadline, whichever occurred earlier.

<sup>2</sup> – This report is only required for candidates participating in the Primary or General election.

<sup>3</sup> – If the candidate closes out (\$0 balance) their campaign on a previous quarterly report, they are not required to file this report.

\*\*\* A candidate will continue to file Campaign Financial Disclosures biannually until they have closed out their account with a \$0 balance. (If requested, our office can provide you with a list of appropriate ways to donate excess campaign funds to close out your account).

# Disclaimer Law Information

## A. What does the Disclaimer Law require?

- 1) T.C.A. § 2-19-120 requires that a “disclaimer,” i.e., a statement, which identifies who paid for a communication and whether the communication is authorized by the candidate, appear and be presented in a clear and conspicuous manner within a communication expressly advocating the election or defeat of a clearly identified candidate, or soliciting contributions.
- 2) The disclaimer does not have to appear on the front face of the communication, unless the communication only contains a front face, for example, billboards.
- 3) The specifics of the information required in the disclaimer can be found at T.C.A. § 2-19-120(a)(1), (2), (3) and (4).

## B. To whom does it apply? Candidates

- 1) Definition of Candidate – T. C. A. § 2-10-102(3) provides that "Candidate" means 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.

## C. When does the statute apply? Whenever any person:

- 1) Makes an expenditure to finance a communication which 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 other form of general public political advertising.
- 3) Exceptions:
  - (1) 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.
  - (2) The requirements of this section do not apply to communications regarding questions on the ballot.

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

## E. Who enforces the statute? The District Attorney General



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September 17, 2013

**The Hatch Act Modernization Act of 2012 – OSC’s Guidance Regarding the Use of Official Title by State and Local Employees Who Are Now Permitted to Be Candidates in Partisan Elections**

Due to recent amendments to the Hatch Act, many state and local government employees are now permitted to be candidates in partisan elections, but remain subject to the Act’s other restrictions. This advisory provides guidance regarding the Hatch Act’s restrictions on employees who are now permitted to run for office, and also explains the extent to which these individuals may use their official titles to bolster their candidacies without violating the Hatch Act.

On December 19, 2012, Congress passed the Hatch Act Modernization Act of 2012. The Act allows state and local government employees to run for partisan political office unless the employee’s salary is paid for entirely by federal loans or grants. Prior to this change, state and local government employees were prohibited from running for partisan office if they worked in connection with programs financed in whole or in part by federal loans or grants.

- A. The Hatch Act continues to prohibit covered state or local government employees from engaging in coercive political conduct or misusing their official authority for partisan purposes.

A state or local government employee who is permitted to run for office is still covered by other Hatch Act prohibitions if the employee works in connection with a program financed in whole or in part by federal loans or grants. Specifically, any covered state or local government employee – including an employee who is a candidate for partisan office – is prohibited by the Hatch Act from: (1) using her official authority or influence to affect the result of an election, and (2) coercing or attempting to coerce other employees into making political contributions.

Under these provisions, a covered employee who is a candidate for partisan political office **may not**:

- wear her uniform while campaigning for office, including at campaign events or in campaign advertisements, web pages, signs, or literature;<sup>1</sup>

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<sup>1</sup> Please note that this advisory does not change OSC’s previous guidance to elected officials who are covered by the Hatch Act, which can be found at

- use agency resources to advance her candidacy; or
- request, encourage, suggest, or imply that subordinate employees assist her campaign efforts.

B. The Hatch Act does not restrict candidates from limited use of their official title in connection with their own campaign.

While covered employees remain subject to Hatch Act restrictions cited above, OSC has concluded that a covered state or local government employee may refer to her official title as part of her biography, resume, or qualifications in connection with her own campaign. The extent of such use must be limited, as explained below.

A covered employee may refer to her official title, position, and/or accomplishments during her own campaign when promoting her qualifications for the elective office she is seeking. This rule takes into account one of Congress's reasons for loosening the restriction on candidacy, namely, so that qualified candidates would no longer be precluded from running for partisan elective office. See S. Rep. No. 112-211, at 4 (2012). In light of Congress's intent, it would be unreasonable to prohibit candidates from advertising their complete resumes. Thus, a covered employee running for partisan public office may inform voters of her current job title and her achievements while holding that position.

An employee may not, however, use her official title and/or position when, for example, signing campaign communications and solicitations or identifying herself on campaign signs (e.g. "Vote for Chief Deputy Joan Smith"). Doing so would create the impression that she is running in her official capacity with the authority of the agency behind her, and as such, would violate the Hatch Act. Moreover, she may not use her title and/or position when endorsing other candidates or political parties.

Please contact the Hatch Act Unit at (202) 254-3650 with any questions.

[http://www.osc.gov/documents/hatchact/state/redacted%20AO%20re%20sheriff%20political%20activities.p df](http://www.osc.gov/documents/hatchact/state/redacted%20AO%20re%20sheriff%20political%20activities.pdf). OSC has advised that elected officials who are covered by the Hatch Act may use their official titles and uniforms when engaged in any kind of political activity because their principal employment is an elected partisan political office, and Congress has evidenced its intent to give these individuals greater latitude with respect to their political activities. The same latitude is not afforded to candidates who have not been elected to a partisan political office and are covered by the guidance in this advisory opinion.