

# Madison County

## CANDIDATE HANDBOOK



**Madison County Election Commission**

**1981 Hollywood Dr, Suite 200**

**Jackson, TN 38305**

**731-660-1796**

**[Madison.Commission@tn.gov](mailto:Madison.Commission@tn.gov)**



# A Quick Guide to be a Candidate

We have many people asking how to become a candidate. This summary is meant to serve as a brief guide for potential candidates.

To be placed on the ballot for local offices, you are required to pick up a petition at the Madison County Election Commission office located at 1981 Hollywood Dr, Jackson, TN 38305 or for state offices, from the State Division of Elections located at 312 Rosa L Parks Ave, 7th Floor, Nashville, TN 37243. You must get 25 registered voters from the jurisdiction you are running in to sign the petition. The commission can only count registered voters who list the address we have on file. The petitions must be returned to the Election Commission office or the State office by the qualifying deadline. The candidate does not have to return it personally. It is acceptable to mail it or have someone else drop it off. The Election Commission does need the original petition so faxes or emails will not be accepted.

The first day to pick up petitions for the 2024 County Primary Election to be held on March 5, 2024, is October 16, 2023. The Qualifying Deadline is December 14, 2023, at NOON. These dates also apply to Independents & any other political party nominee by a caucus for the County General to be held in August. The first day to pick up petitions for the 2024 Federal/State Primary is February 5, 2024. The qualifying deadline is NOON, April 4, 2024. The election date is August 1, 2024. These dates also apply to any independent candidates for the August County General election. Petitions can be picked up on June 17, 2024, for the Federal/State & Municipal elections on November 5, 2024. The Qualifying Deadline is August 15, 2024, at NOON.

Before a candidate raises or spends any money, the candidate needs to file an “Appointment of Political Treasurer” with the Election Commission. This form is available on our website, [madisonelection.com](https://www.tn.gov/content/dam/tn/tref/documents/2021%20CandidateAppt.ofTreasurer.pdf), or at <https://www.tn.gov/content/dam/tn/tref/documents/2021%20CandidateAppt.ofTreasurer.pdf> You can print it out online and bring it to us. We must have the original, so a fax or email will not work. You may file the Appointment of Political Treasurer at any time, but it must be filed before you raise or spend any money. The Registry of Election Finance has said that “incidental” expenses while you are thinking about running do not count.

You must file an Appointment of Treasurer for each election cycle. If you are running for re-election, or if you ran last time, a new Appointment of Treasurer needs to be filed. You can transfer the balance, but you must file a new form for each election.

Since petitions are not available, potential candidates may wonder how they can declare or announce they are running. That is a political strategy matter, and each candidate must make that decision. The Madison County Election Commission has posted and will continue to update a list of all persons who have filed a petition with our office.

Here are some websites that might be helpful:

**Madison County Election Commission:**

[www.madisonelection.com](http://www.madisonelection.com)

**The Registry of Election Finance & Ethics Commission:**

<https://www.tn.gov/tref>

## Registering to Vote

Registering to vote in Tennessee is done by county. If a person has moved to Madison County from any other Tennessee county or from another state they are required to complete a new registration to be eligible to vote in Madison County.

Online Voter Registration is now available. A person can either go to our website [www.madisonelection.com](http://www.madisonelection.com) or [www.GoVoteTN.com](http://www.GoVoteTN.com) to register to vote or change their address within the county. Voter registration forms may also be obtained at the Department of Safety and Homeland Security, all Public Assistance agencies, the County Clerk's Office, Madison County Library, many government offices, Madison County Election Commission office or online at [www.MadisonElection.com](http://www.MadisonElection.com).

They may complete a registration form at the Department of Safety, County Health Department or Department of Human Services and it will be sent to us for processing. The Department of safety may send a Voter Registration form to them in the mail with their license. They can complete the form and mail it to us. They can also download a form at [www.MadisonElection.com](http://www.MadisonElection.com).

Forms provided by other sources should be fully completed and mailed to:

Madison County Election Commission  
1981 Hollywood Dr, Suite 200  
Jackson, TN 38305

They may also bring their application to the Election Commission Office at 1981 Hollywood Dr, Suite 200 in Jackson. When a person registers in person they need to have a photo ID with the correct address or a photo ID and two pieces of mail that they have received with their name and address on them. (electric bill, bank statement, insurance card, etc.)

When the application is received by the Election Commission it will be processed and a new voter registration card will be mailed. They will be registered to vote when they receive a voter registration card in the mail. TCA§ 2-2-124

To register to vote, **ALL** of the following qualifications must be met:

- **Citizen of the United States;**
- **Eighteen (18) years old on or before the date of the next election;**
- **Resident of the State of Tennessee; and**
- **Not have been convicted of a Felony or have had your Voting Rights restored as required by law**



#### Important information to know before completing the voter registration form:

- 1) Downloaded form should be printed on **WHITE** paper only.
- 2) Use **black** or **blue** ink only to complete the form.
- 3) Complete **every question** on form including **ALL FOUR YES/NO questions.**
- 4) Tennessee requires a Social Security Number & Date of Birth to register to vote.
- 5) They must include the City & State of their birth.
- 6) A person does not register by party in Tennessee.
- 7) This form can be used for either change of address or name change if a person is already registered in Madison County.
- 8) The 30th day before each election is the deadline to register to vote. A by-mail registration form must be postmarked by that date to be processed for the upcoming election. Registration received after the deadline will be processed after the election.

#### Keeping the Voter Registration Information Updated:

Once a person is registered to vote in Madison County and has received the voter registration card, there is no requirement to “renew” their registration. However, they do need to update their registration to keep their status as an Active Voter in Madison County.

A person should always inform the Election Commission in writing if:

- Their name changes due to marriage or divorce
- They move within Madison County
- They receive any correspondence from the Election Commission where we need a response from them.

If they have moved to another county or another state they will be required to register to vote in that county or state.

Please contact the Madison County Election Commission with any questions or for more information about registering to vote. Address & name changes can be made up until the fifth day before each election.

## What will a person need to bring with them to vote?

Everyone should have received a **NEW** voter registration card in the mail in 2022. It is important that they check this card for accuracy. The **NEW** card has their name and residential address on it. The card will also have the County Commission District, County School Board Zone, Constable Zone, State House of Representatives District, State Senate District and U.S. Congressional District. If a person lives in any of the nine city wards, the Ward or District number will also be on the card.

**PLEASE CONTACT THE ELECTION COMMISSION OFFICE IF THERE ARE ANY CONCERNS ABOUT THE ACCURACY OF THE VOTING INFORMATION ON THE CARD.**

**A person is not required to have their voter registration card with them to vote during Early Voting or on Election Day. They will need a valid Photo ID issued by the State of Tennessee or the U.S. Government.**

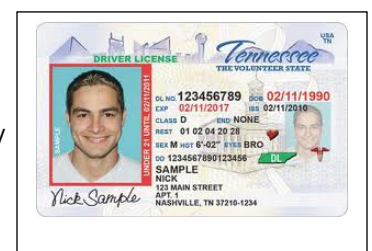
## A PHOTO ID IS REQUIRED TO VOTE

The state's Voter ID law requires poll workers to ask for a PHOTO ID when voting. Voter ID strengthens the public's faith in the integrity of our elections by enabling poll workers to match a voter's name to their face.

## What IDs are acceptable?

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

- Tennessee driver license with your photo
- United States Passport
- Photo ID issued by the TN Department of Safety and Homeland Security
- Photo ID issued by the federal or Tennessee state government
- United States Military photo ID
- Tennessee handgun carry permit with your photo



## What IDs are not acceptable?

College student IDs and photo IDs not issued by the Federal or Tennessee State government are NOT acceptable. This includes county or city issued photo IDs, such as library cards, and photo IDs issued by other states.

## Who is exempt?

- Voters who vote absentee by mail
- 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 a person registered by mail and is voting for the first time?

Federal law requires first time voters who register by mail to present one of the following:

- A current TN or Federally issued Photo ID with voter's name and photo OR
- If the photo identification is expired, the voter must also present one of the following: a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the voter's name and address.

## Don't have an acceptable photo ID?

Contact the Madison County Election Commission for questions concerning acceptable forms of Photo ID. We will assist voters with any questions about the photo ID requirements or any other voting related question.

## Protecting your vote

No eligible voter will be turned away at the polls. Voters who do not bring a Photo ID to the polls can vote using a provisional ballot, which will be counted if the voter returns to the Madison County Election Commission within two (2) business days after the Election Day with a valid Photo ID.

**Examples and a list of acceptable IDs can be found at [www.MadisonElection.com](http://www.MadisonElection.com)**

## What if a person has moved since last voting or registering to vote?

The [voter registration application](#) also serves as a name and/or address change request. The voter should complete and sign the form. When updating their address within the county, the form may be mailed, faxed, or emailed with an attached document which includes a scanned



signature or submitted in person to our office. When updating one's name, the form must be mailed or taken to our office. The form must be signed and received no later than five (5) days before the election to process the change.

Pursuant to TCA § 2-2-107, a person shall be registered as a voter of the precinct in which the person is a resident. This is important because a person can only vote on candidates that they are eligible to vote for based on their residence.

A person may change their address when they vote on Election Day. However, taking care of the change before coming to vote will save them time, paperwork and possibly having to drive to another polling place to vote.

When a person applies to vote, they affirm, under penalty of perjury, that the information they have provided on the application is correct. Providing false information on their voter application is a felony. (TCA § 2-19-107)

## Redistricting in 2022

### What is Redistricting?

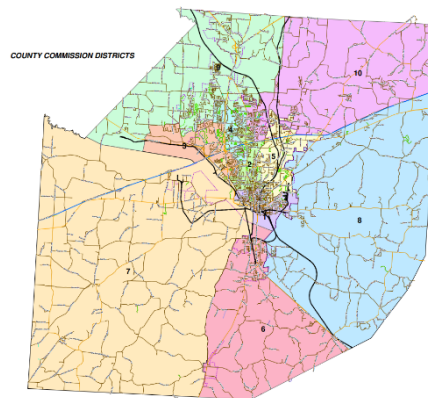
Redistricting is the redrawing of County Commission, State Senate, State House, US Congress, Constable, School Board and City Ward or District lines to ensure that every citizen is equally represented. Each district now has an approximately equal number of residents according to the 2020 census. Geographically, some districts are larger or smaller than they have been for the past ten years. The population of each district, no matter its geographical size, is approximately equal in population.

### Who determines where the new district lines will be?

The decision makers are the elected officials who have the statutory authority to designate the district lines on census block boundaries.

### Madison County Commission Districts

- **Tennessee General Assembly:**
  - Congressional Lines
  - State Senate Lines
  - State House Lines
  - Judicial District Lines
- **Madison County Commission:**
  - County Commission Districts
  - School Board Districts
  - Constable Districts
- **City Council/Commission:**
  - City Council Wards/Districts



- **Madison County Election Commission:**  
Precinct Boundaries  
Polling Places

## What if a person does not want to vote on Election Day?

They may vote at 311 North Parkway during the Early Voting period. Early Voting is convenient, fast and they can avoid the possibility of missing an opportunity to vote on Election Day for any unforeseen reason. The Sample ballot is listed on our website--- [www.MadisonElection.com](http://www.MadisonElection.com)

## Where can a person go to vote?

### Early Voting

#### For the March 5, 2024 Election:

Early Voting.....February 14<sup>th</sup> thru February 27<sup>th</sup>

#### For the August 1, 2024 Election:

Early Voting.....July 12<sup>th</sup> thru July 27<sup>th</sup>

#### For the November 5, 2024 Election:

Early Voting.....October 16<sup>th</sup> thru October 31<sup>st</sup>

### **EARLY VOTING LOCATION:**

Agriculture Complex  
311 North Parkway • Jackson, TN 38305

### Election Day

On Election Day, voters will be voting at their assigned precincts. You can visit our website [www.MadisonElection.com](http://www.MadisonElection.com) for a complete list of the polling precincts and the addresses.

## ABSENTEE VOTING

### What is Absentee Voting?



Absentee voting is a voting method that involves voting on a day earlier than Election Day.

Tennessee has two forms of absentee voting:

1. Absentee in person, which is better known as early voting, and
  2. Absentee by mail, which is commonly called by-mail voting.
- 

### Who may apply to vote By-Mail Absentee?

To vote by mail, a registered voter must fall under one of the following categories:

1. The voter will be outside the county of registration during the early voting period and all day on Election Day;
  2. The voter or the voter's spouse is enrolled as a full-time student in an accredited college or university outside the county of registration;
  3. 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;
  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 because of such condition, cannot vote in person;
  9. The voter is a caretaker of a person who is hospitalized, ill, or disabled;
  10. The voter is a candidate for office in the election;
  11. The voter serves as an election day official or as 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 the voter's spouse possesses a valid commercial drivers license (CDL) or the voter possesses a valid Transportation Worker Identification Credential (TWIC) card and certifies that he or she will be working outside the state or county of registration during the open hours of early voting and Election Day, and has no specific out-of-county or out-of-state address to which mail may be sent or received during such time.
  14. The voter is a member of the military or is an overseas citizen.
- 

### What is the process for requesting the by-mail ballot?

ONLY a voter who will be outside of the state on Election Day **and** during Early Voting may complete an application to vote absentee at the Election Commission office, ALL other voters must request by mail, fax or email with an attached document that includes a scanned signature. TCA § 2-6-202. **Applications for absentee ballots must be requested by the person eligible to vote absentee and the application must be provided by the Election Commission to that person.** (It is a Class E Felony for a person who is not an employee of an election commission to give an application for an absentee ballot to any person. TCA§2-6-202(c)(3) and It is a Class A misdemeanor for a person who is not an employee of an election commission to give an unsolicited request for application for absentee ballot to any person. TCA§2-6-202(c)(4))

**Download an Absentee Request Form from [www.madisonelection.com](http://www.madisonelection.com) Or send a request a by mail, fax or email with an attached document which includes a scanned signature and the following information directly to our office:**

1. Name of the registered voter
2. Address of the voter's residence
3. Voter's social security number
4. Voter's date of birth
5. Address to mail the ballot outside the county (this applies only when the reason for voting by mail involves that the voter will be outside of the county during early voting and on election day)
6. The election in which the voter wishes to participate. If the election involves a primary, the political party in which the voter wishes to participate.
7. Reason the voter wishes to vote absentee. If applicable, a copy of the CDL containing the CDL number or the TWIC card must be included in the voter's request.
8. Voter's signature

A request that contains this information will be processed and a ballot will be mailed to the voter.

**Is any additional information required for individuals who have registered to vote by mail?**

Unless an individual who has registered to vote by mail is on the permanent absentee voting register, that person must appear in person to vote in the first election after the registration becomes effective. If a by-mail registrant has already voted in person since the registration, then no additional information will be required to vote by mail.

**How can a person who possesses a valid commercial driver license (or the spouse of a person possessing a valid commercial driver license) or a transportation worker identification credential and who will be working outside the county of registration during the early voting period and all day on election day vote?**

If the voter (or spouse) possesses a valid commercial driver license or the voter possesses a valid transportation worker credential card and does not have a specific out-of-county or out-of-state location to which mail may be sent or received during the early voting or Election Day hours, the voter may:

- a. Complete an application to vote absentee by mail at the Madison County Election Commission office; or
- b. Send a written request that contains the information discussed in the question above; **and**
- c. Provide a copy of the current commercial driver license which contains the commercial driver's license number or a copy of the current transportation worker credential card;
- d. Provide the voter's current residential address and any mailing address to which the ballot shall be mailed.

**When may a registered voter apply to vote by mail?**

A registered voter may request an application for by-mail ballot no earlier than ninety (90) days before the election and no later than seven (7) days before the election. To be processed for the next election, the application must be received by the election commission no later than seven (7) days before the election.

**For the March 5, 2024 Election:**

1<sup>st</sup> Day to Request Absentee Ballot.....December 6, 2023  
 Last Day to Request Absentee Ballot.....February 27, 2024

**For the August 1, 2024 Election:**

1<sup>st</sup> Day to Request Absentee Ballot.....May 3, 2024  
 Last Day to Request Absentee Ballot.....July 25, 2024

**For the November 5, 2024 Election:**

1<sup>st</sup> Day to Request Absentee Ballot.....August 7, 2024  
 Last Day to Request Absentee Ballot.....October 29, 2024

**To be counted, when must the ballot be received by the election commission?**

The county election commission must receive the ballot by mail no later than the close of polls on Election Day. Once the election commission issues an absentee by-mail ballot to a voter, the voter can only vote by mail.

---

### **What if a person does not receive or ruins their ballot and can no longer use it?**

If a voter notifies the election commission that he or she has “spoiled” a ballot or has not received the ballot, the election commission shall note on the records that subsequent supplies have been sent and supply the voter with subsequent voting supplies.

---

### **What if a person does not provide all of the information required on the by-mail ballot application?**

The county election commission will reject the application and return the application to the voter immediately by mail to be completed and returned. If time permits, any rejected application must be corrected and returned to the County Election Commission by the seventh (7th) day before the Election.

---

### **Can the ballot be hand delivered?**

No. The by-mail ballot must be received by the county election commission office through the postal mail.

## **Military/Overseas Voting**

### **Who may apply to vote absentee under T.C.A. § 2-6-502?**

To vote pursuant to the above statute, an individual must fall into one of the following categories.

**MILITARY PERSONNEL:** Persons who are United States citizens, residents of Tennessee and members of the Uniformed Services (i.e., armed forces personnel), and their family members.

"Armed forces personnel" is defined in T.C.A. § 2-1-104(1) as members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Environmental Science Service Administration, Public Health Service of the United States or members of the Merchant Marine of the United States, and their spouses and dependents.

**CIVILIANS OUTSIDE U.S.:** Persons who are United States citizens, residents of Tennessee, and who are currently residing overseas.

**OVERSEAS CITIZEN:** A United States citizen who resides outside the U.S. and, but for living outside the U.S., would be qualified to vote in Tennessee.

**PERSONS BORN OVERSEAS:** A person who has never lived in the U.S. but has a parent who is eligible to vote in Tennessee may vote in Tennessee in the same voting residence claimed by the parent.



www.FVAP.gov

## WHERE CAN A SAMPLE BALLOT BE SEEN BEFORE THE ELECTION?

Before Early Voting and Election Day, a sample ballot will be published in the local newspaper. The sample ballot will also be available on our website – [www.madisonelection.com](http://www.madisonelection.com). Sample ballots will be posted at each of the 29 polling precincts on Election Day.

### *Be Prepared for the 2024 Elections*

The 2024 elections will be busy. By having the proper photo ID and being educated on the candidates before coming to vote individuals will be prepared and able to vote quicker allowing for shorter wait times at the polls.

The Election Commission prepares year-round to make the voting experience the most efficient and enjoyable possible.

### *ANY LINE, ANY TIME*

Voters no longer have to go to a specific alphabetical line to receive an application to vote—individuals will be able to go to any Registrar's line.

By utilizing technology, election officials will be able to serve the voters of Madison County more efficiently and timely than ever before.

## USING THE VOTING MACHINES

Make your voting experience the best it can be in 2024. Prepare yourself and others for the election by becoming familiar with what offices are being elected and who the candidates are before coming to the polls.

If a voter has questions about the ballot received, this is the time to ask them. The poll official is available to answer any questions on operating the voting machine but cannot give opinions about who to vote for.

## Provisional Voting Information

If you are not on the signature list or do not have an acceptable form of identification, you will be allowed to cast a provisional ballot. The Provisional Counting Board will meet and based on the information provided and eligibility, your ballot may or may not be counted. You will be notified, in writing, whether your ballot was counted.

## PARTY PRIMARY vs. GENERAL ELECTION

The County Primary will be held on March 5, 2024. This election will be a Republican and Democratic County Primary Election to choose their nominee for the General election in August.

The November 5, 2024, election will be a Federal & State General Election and municipal election for Three Way.

A **Primary Election** is a nominating election.

Voters that vote in a Primary Election consider themselves Republicans or Democrats- there are no Primary Elections for Independents. In order to vote in the primary, for either party, you will be required to choose which party primary you wish to vote in on your voter application.



**Voters may choose to vote in the Madison County General Election only.**

Tennessee has two recognized parties – the Republican Party and the Democratic Party. Tennessee holds “Open Primaries”. You are not registered as a member of any party and may vote as your current party allegiance allows.

*“A registered voter is entitled to vote in a primary election for offices for which the voter is qualified to vote at the polling place where the voter is registered if:*

- 1. The voter is a bona fide member of and affiliated with the political party in who’s primary the voter seeks to vote; or*
- 2. At the time the voter seeks to vote, the voter declares allegiance to the political party in who’s primary the voter seeks to vote and states that the voter intends to affiliate with that party.” TCA §2-7-115 (b)*

Winning the party’s nomination in a Primary Election is the first step in the election process. It narrows the field in a political party to one individual for a specific office. The winner of the party primary in August will be on the general election ballot in November representing their party.

You do not have to vote in the Federal & State primary. You may choose to vote only in the Madison County General Election.

A **General Election** is the election in which all voters make the **final choice** from among the party nominees and the independent candidates for a specific office.

In August, the winners in Madison County offices on the general ballot will take office on September 1, 2024. The winners of the primaries on the August ballot will appear on the general ballot in November and the winners will take office January 1, 2025.

Municipal offices are never partisan races by state law.

## CAMPAIGN FINANCE INFORMATION

All candidates must file financial disclosures with the Madison County Election Commission or the Tennessee Registry of Election Finance. Where you file is determined by what office you are a candidate for. Disclosures filed with the Madison County Election Commission are posted on our website at [www.madisonelection.com](http://www.madisonelection.com).

**CANDIDATES EXEMPTED-** A local candidate may be exempt from filing a Campaign Financial Disclosure if he/she is seeking a public office for which the service is part-time and for which the compensation is less than one thousand dollars (\$1,000) per month **AND** they do not spend more than \$1,000 on the campaign. This exemption does not apply if the public office being sought is that of a Mayor or chief administrative officer.

### Where must candidates file reports?

**CANDIDATES FOR STATE OFFICE-** Candidates and single-candidate political campaign committees involved in elections for state public offices (Governor, member of the General Assembly, delegate to a Tennessee Constitutional Convention, District Attorney General, District Public Defender, Chancellors, Circuit Court Judges, Criminal Court Judges, Probate Court Judges, Judge of the Court of Criminal Appeals, Judge of the Court of Appeals and Supreme Court Justice) must file all required reports with the Registry of Election Finance, 404 James Robertson Parkway, Suite 1614, Nashville, TN 37243-1360.

**CANDIDATES FOR LOCAL PUBLIC OFFICE-** A candidate or single-candidate political campaign committee must file all required reports with the Madison County Election Commission at 1981 Hollywood Dr, Suite 200, Jackson, TN.

### What must a candidate do to begin a campaign operation?

**POLITICAL CAMPAIGN TREASURERS-** Before any monies can be received or spent, (except for incidental expenditures made by an individual to determine whether to be a candidate), each candidate must certify the name and address of its political treasurer to the Registry of Election Finance for a state election and to the county election commission for a local election. This is accomplished by completing and filing an appointment of political treasurer statement.

A candidate may appoint himself or herself as the political treasurer for a campaign. If a candidate appoints another person to act as political treasurer, the candidate must co-sign all reports required to be filed under the Campaign Financial Disclosure Act.



**CAMPAIGN BANK ACCOUNT-** A candidate must open and maintain a separate bank account into which all campaign contributions are to be deposited. Additionally, all expenditures from campaign funds must be expended from this bank account.

If a person is a candidate for more than one public office, the candidate must maintain separate campaign bank accounts for each office sought.

**How long is an appointment of treasurer statement effective?**

**CANDIDATES - PRIMARY, GENERAL ELECTIONS-** A political treasurer appointed by a candidate or single-candidate political campaign committee may serve for both the primary and general elections. After the last election in which that candidate or committee is involved in that election year, monies shall not be received or spent for a future election until the candidate or committee has formally appointed a political treasurer for the future election year and filed a report of that appointment with the Registry of Election Finance or the appropriate county election commission. (The new appointment must be filed, even if the treasurer is the same individual who served in that capacity in the candidate’s previous election.)

**CHANGE OF TREASURERS-** Candidates must notify the Registry or the appropriate county election commission of any changes in the office of political treasurer. An appointment of political treasurer statement must be completed and filed for the individual who replaces the previous treasurer.

**What information must be reported in a campaign financial disclosure statement?**

Contributions	In-Kind Contributions	Obligations
Expenditures	Loans	

More information can be obtained at [www.tn.gov/tref/](http://www.tn.gov/tref/) or at [www.madisonelection.com](http://www.madisonelection.com)

**What campaign financial disclosure statements may a candidate have to file?**

The reports a candidate is required to file will depend on the office sought and the date that an appointment of a political treasurer statement is filed with the Registry of Election Finance or the local county election commission. More information can be obtained at [www.tn.gov/tref/](http://www.tn.gov/tref/) or at [www.madisonelection.com](http://www.madisonelection.com)

**Will a candidate receive notice when a disclosure report is due?**

The Registry of Election Finance is required to notify candidates for state public office fourteen (14) days before any regularly scheduled statement is due and each county election commission is required to notify candidates for local public office seven (7) days before any regularly scheduled statement is due.

**How much may be contributed?**

	Current Limits
Person Limits (per election)	
Local/Legislative Candidates	\$1,800
Statewide Candidates	\$4,900
PAC Limits (per election)	
Local/ House Candidates	\$9,400
Senate/ Statewide Candidates	\$14,400
Aggregate PAC Limit (per election)	
All Elections Except Statewide	\$143,200

**Note: Primary and General are separate elections.**

### **Cash Contributions- Fish Bowl Rules**

\$50 in currency (cash) to any candidate or PAC. Contributions exceeding \$50 per election must be made by check, money order or other written instrument. 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” must have a record and amount. 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. For more details see visit [www.madisonelection.com](http://www.madisonelection.com)

### **Are corporate campaign contributions allowed?**

Yes, beginning on June 1, 2011 corporate contributions are allowed to be made to candidates and PACs in Tennessee. Corporations making campaign contributions totaling over \$1,000 in the aggregate to candidates in a calendar year must register as a PAC and file campaign financial disclosure reports.

### **Joint Contributions**

If two or more individuals (such as husband and wife) want to make a contribution using one check drawn on a joint account, they may. If a contribution is made in this manner, it is advisable to attach a statement explaining to the recipient how the contribution should be divided between the contributors.

A husband and wife each have separate contribution limits, even if only one spouse has an income. For example, a couple may contribute a \$3,600 check to a candidate’s primary campaign and have \$1,800 attributed to the husband and \$1,800 attributed to the wife.

### **Minor Contributions**

A child under eighteen (18) years of age may make contributions from funds they control if the minor knowingly and voluntarily makes such contribution. A minor may not use funds provided as a gift to them for the purpose of contributing to a candidate or PAC.

### **Can a candidate use funds from a previous election for a subsequent election?**

All state and local candidates may transfer unexpended campaign funds to a future campaign for the same office by that candidate. State candidates may transfer any excess campaign funds to any future state or local campaign that the candidate establishes. Local candidates may transfer excess campaign funds only to future local campaigns that the candidate establishes.

### **When must a report be filed if the due date falls on a weekend or holiday?**

Whenever a due date for a campaign financial disclosure statements falls on weekend day or holiday, such report is due to be filed with the Registry of Election Finance or the county election commission, whichever is required, on the next business day.

“Filed” means the date that the Registry or county election commission actually receives the candidate or committee’s disclosure statement or the date of the postmark, if the statement is mailed by certified or registered mail. All filed disclosures will be posted on our website.

### **How does a candidate close out a campaign account?**

A campaign account may be closed out at any time when the candidate or political action committee has filed a campaign disclosure statement that shows no unexpended balance, continuing debts or obligations or expenditure deficit.

No additional reports are required after a campaign account is properly closed.

### **How long must campaign records be maintained?**

Candidates must retain records for at least 2 years after the date of election to which the records refer.

The Registry of Finance and each the Election Commission maintain all reports filed for 5 years.

### **Are there penalties for not filing required reports to the Registry of Finance?**

The Registry of Finance does have authority to impose civil penalties against a candidate for failing to file a statement on time and ignoring subsequent warnings about the required report. The Registry also has the authority to impose civil penalties for other violations. More information can be found on their website: [www.tn.gov/tref/](http://www.tn.gov/tref/)

Any registered voter in Tennessee may file a sworn complaint alleging that a campaign financial disclosure statement filed regarding an election for which the voter is qualified to vote in does not conform to the law or to the truth or that the person has failed to file a statement as required by law. TCA§2-10-108(c) The official complaint form may be downloaded from [www.tn.gov/tref/](http://www.tn.gov/tref/) and should be filed with the District Attorney General.

A candidate in a state or local election who fails to file a required disclosure statement or pay an assessed civil penalty is ineligible to qualify as a candidate in any future state or local elections until the report is properly filed with the Registry and/or the local county election commission.

Please contact our office with any questions and for more information about Tennessee Financial Disclosures laws and requirements.

## DISCLAIMER LAW--- “PAID FOR BY ...” Highlights of the Disclaimer Law

To whom does it apply? Candidates

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.

When does the statute apply? Whenever any person:

- 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 mail or any other form of general public political advertising.

Exceptions: 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.

What is the penalty for its violation? Class C misdemeanor

Who enforces the statute? The District Attorney General

## OTHER IMPORTANT INFORMATION

### PURCHASING VOTER LISTS:

- You may purchase a list of registered voters for Madison County from the Election Commission Office. T.C.A. 2-2-138 requires the voter information to be used for political purposes only. We provide this list on a computer printout, CD-R or USB. An order form is included in your candidate packet. The voter information provided is voter data only. It does not contain any software to print lists. You must have computer software of your own to use the information and you must understand how to import

data into your program. The data provided will be in excel format. The voter registration records are updated daily. You should place your order prior to the time you will need it since we cannot guarantee a turnaround time for your order due to the changing workload. We will call you as soon as it is ready to be picked up.

### **CAMPAIGN BOUNDARY:**

- Candidates are not allowed to be present within the 100' campaign free zone at any polling place, except to vote. This includes all Early Voting locations and the Election Commission Office during early voting. If you have official business to conduct (i.e., turning in financial reports, picking up information, etc.) contact the Election Commission. Also, candidates are not allowed to assist a voter while voting. T.C.A. 2-1-112, 2-7-103, 2-7-116. It is recommended that you call ahead during Early Voting if you need to come to the Election Commission Office on official business.
- Signs, vehicles, or any other campaign material are also prohibited within the 100' boundary.
- The 100' boundary will be marked for each Early Voting and Election Day Vote Center. Each location does have the option to set their boundaries so it may be beyond the 100' depending on their requirements for signage, etc.
- Please instruct your campaign workers that the polling place facilities, such as telephones, restrooms, etc. are not available for their use or the candidate's use during Early Voting and on Election Day. Campaign workers have no reason to be inside the polling place, even if it is raining, and should be outside the 100' boundary unless they are actually assisting a voter while voting. If they are assisting a voter, they should not be wearing campaign shirts, hats, buttons, etc. inside the boundary.

### **ASSISTANCE:**

- Blind, illiterate and disable voters may have anyone of their choice to assist them in voting except a candidate or poll watcher. (TCA § 2-7-116) Voters needing assistance must request such assistance. Proper paperwork must be completed if assistance is given. If no one is with the voter who needs assistance, two poll workers, one of each party, will assist.

### **PROVISIONAL VOTING:**

- Provisional Voting is a process required by Federal Law where a voter appears at their polling place and their name does not appear on the signature list but claims to have registered at a National Voter Registration Agency. The voter will be allowed to cast a provisional ballot (paper ballot), but the ballot will not be counted until eligibility can be determined. This verification process will be made through the State Department of Safety, Health, Human Service, etc. This process will take several days. Once

verification can be made, the verified provisional ballots are counted and results released.

- Provisional Voting will also apply to those not providing an acceptable Photo ID. A voter will be allowed to vote provisionally and will have up to two (2) business days following the election to return with an acceptable form of Photo ID. Photo ID's must be brought to the Election Commission Office. If a voter fails to provide an acceptable Photo ID, their provisional ballot will be rejected.

#### **ELECTION NIGHT PROCEDURES:**

- Results will be tallied at the Madison County Election Commission Office. We are not responsible for the accuracy of any media coverage. Early Voting and Absentee will be reported after the close of polls and as soon as they are available. All Voting Precincts will be reported as they arrive at the office. Election night results are unofficial. The election will be certified and the results made official no later than the third Monday after the election at an Election Commission meeting.

Visit [www.madisonelection.com](http://www.madisonelection.com) for more information.

### **PROHIBITED PRACTICES**

#### **2-6-202. Voting absentee -- Applications -- Ballots.**

**(3) A person who is not an employee of an election commission commits a Class E felony if such person gives an application for an absentee ballot to any person.**

**(4) A person who is not an employee of an election commission commits a Class A misdemeanor if such person gives an unsolicited request for application for absentee ballot to any person.**

#### **2-19-115. Violence and intimidation to prevent voting. —**

It is a Class A misdemeanor for any person, directly or indirectly, personally or through any other person:

- (1) By force or threats to prevent or endeavor to prevent any elector from voting at any primary or final election;**
- (2) To make use of any violence, force or restraint, or to inflict or threaten the infliction of any injury, damage, harm or loss; or**
- (3) In any manner to practice intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting, to vote or refrain from voting for any particular person or measure, or on account of such person having voted or refrained from voting in any such election.**



**2-19-117. Procuring illegal vote. —**

It is a Class E felony for any person to procure, aid, assist, counsel or advise another to vote in any convention, primary or final election, knowing such person is disqualified.

[Acts 1972, ch. 740, § 1; T.C.A., § 2-1917; Acts 1989, ch. 591, § 14.]

**2-19-119. Violation of § 2-7-111 while boundary signs are posted.**

A person commits a Class C misdemeanor if such person violates § 2-7-111 while boundary signs are posted.

**2-19-125. Bribing election officials. —**

It is unlawful for any person, directly or indirectly, personally or through any other person, to give or offer to give a bribe to any election official or to any administrator of elections or to any member of a board or commission holding office under this title as a consideration for any act done or omitted to be done contrary to such official's official duty under this title.

[Acts 1972, ch. 740, § 1; T.C.A., § 2-1925.]

**2-19-126. Bribing voters. —**

It is unlawful for any person, directly or indirectly, personally or through any other person to:

(1) Pay, loan, contribute, or offer or promise to pay, loan or contribute any money, property, or other valuable thing, to or for any voter, or to or for any other person, to induce such voter or any voter to vote or refrain from voting in any political convention, primary or final election of any kind or character, or to induce such voter or voters to vote or refrain from voting at any such convention, primary or final election for or against any particular person or measure, or on account of any voter having voted for or against any particular person or measure, or having gone to or remained away from the polls at any such convention, primary or final election;

(2) Give, offer, or promise any place, office or employment, or promise or procure any place, office or employment, to or for any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting at any convention, primary or final election, or to induce any voter at such convention or primary or final election to vote or refrain from voting for any particular person or measure;

(3) Advance or pay or cause to be paid any money or other valuable thing to or for the use of any voter, or to or for the use of any other person, with the intent that the same or any part

thereof shall be used in bribery at any primary or final election, or otherwise unlawfully used at, concerning, or in connection with any such primary or final election; or knowingly pay or cause to be paid any money or other valuable thing in discharge or repayment of money or other valuable thing wholly or in part expended in bribery or other unlawful use at or in connection with any such primary or final election; or

(4) Advance, pay or cause to be paid, as expenses or otherwise, to or for the use of any person, any money or other valuable thing in order to induce such person or any person to work for, solicit or seek to influence votes for or against any particular person or measure, at or in connection with any convention, primary or final election; or induce such person or persons to procure, solicit or influence any voter to attend, leave, or remain away from any such convention, primary or final election; or pay or cause to be paid any money or other valuable thing to or for the use or benefit of any person in discharge or payment of or for time, labor, expenses, or services alleged to have been spent, performed, incurred, or rendered for or against any person, at or in connection with any such convention, primary or final election; provided, that this shall not include payment of expenses for soliciting attendance of any person upon party conventions, primaries, or final elections; and provided further, that nothing herein shall be construed to prohibit expenditures otherwise allowed by law.

[Acts 1972, ch. 740, § 1; T.C.A., § 2-1926.]

**2-19-134. Coercing or directing employees to vote for measure, party, or person —  
Penalty. —**

(a) It is unlawful for any person to coerce or direct any employee to vote for any measure, party or person who may be a candidate for any office, or for any person who may be a candidate for nomination for any office, to threaten the discharge of such employee if the employee votes or does not vote for any such candidate for nomination or for office, or for any particular policy or measure.

(b) It is unlawful to discharge any employee on account of such employee's exercise or failure to exercise the suffrage, or to give out or circulate any statement or report calculated to intimidate or coerce any employee to vote or not to vote for any candidate or measure.

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

[Acts 1972, ch. 740, § 1; T.C.A., § 2-1934; Acts 1989, ch. 591, § 113.]

**2-19-142. Knowingly publishing false campaign literature. —**

It is a Class C misdemeanor for any person to publish or distribute or cause to be published or distributed any campaign literature in opposition to any candidate in any election if such person

knows that any such statement, charge, allegation, or other matter contained therein with respect to such candidate is false.

[Acts 1974, ch. 704, § 1; T.C.A., § 2-1950; Acts 1989, ch. 591, § 113.]

#### **2-19-144. Campaign advertising. —**

It is unlawful for any person to place or attach any type of show-card, poster, or advertising material or device, including election campaign literature, on any kind of poles, towers, or fixtures of any public utility company, whether privately or publicly owned or as defined in § [65-4-101](#), unless legally authorized to do so.

### **SIGNS-SIGNS-SIGNS**

**Signs are the most visible indication of elections. Please review the information you received when you picked up your petition in your candidate package about the restrictions and ordinances regarding campaign signs. Signs can be placed in the city forty-five (45) days before early voting starts. They must be picked up five (5) days after the election.**