

# TENNESSEE 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE

This pocket reference guide contains key provisions found within Title 2 of the Tennessee Code and other relevant sections.

- Preventing, threatening, or intimidating a person relating to their vote, or attempting to do so, is a misdemeanor.
- Assaulting or attempting to assault an election official is a misdemeanor.
- Using force or violence to prevent the fair and lawful conduct of an election is a misdemeanor.

## VOTING HOURS

**Varies by location.** Check your county hours here: [tnsos.org/elections/election\\_commissions.php](https://tnsos.org/elections/election_commissions.php)

## 2024 ELECTION DATES

**Presidential Primary:** March 5

**Primary Election:** August 1

**General Election:** November 5

**For other election dates:**

[sos-prod.tnsosgovfiles.com/s3fs-public/document/2024%20Key%20Dates.pdf](https://sos-prod.tnsosgovfiles.com/s3fs-public/document/2024%20Key%20Dates.pdf)

## REPORT SUSPICIOUS BEHAVIOR TO

**Your local election official:**

[tnsos.org/elections/election\\_commissions.php](https://tnsos.org/elections/election_commissions.php)

**TN Secretary of State:**

877-850-4959

[sos.tn.gov/govotetn](https://sos.tn.gov/govotetn)



## **Violence and intimidation to prevent voting.**

Tenn. Code Ann. § 2-19-115

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.

## **Interfering with nominating meeting or election.**

Tenn. Code Ann. § 2-19-101

A person commits a Class A misdemeanor if such person:

- (1) Breaks up or attempts to break up any legally authorized political party nominating meeting or any election by force or violence;
- (2) Assaults or attempts to assault the persons conducting the meeting or the election officials;
- (3) Destroys or carries away or attempts to destroy or carry away a ballot box or voting machine; or
- (4) Uses force or violence in any other way to prevent the fair and lawful conduct of the nominating meeting or election.

## Unlawful acts related to voting machines and election equipment.

Tenn. Code Ann. § 2-19-118

(a) A person commits an offense who, before, during, or after an election:

- (1) Intentionally tampers, interferes, or attempts to interfere with the correct operation of, or damages in order to prevent the use of, a voting machine, electronic poll book, voting device, voting system, vote tabulating device, or ballot tally software program source codes;
- (2) Intentionally tampers with, interferes with, attempts to interfere with, obtains unauthorized access to, or attempts to obtain unauthorized access to the official voter registration database, including, but not limited to, attempts to obtain plans, security codes, passwords, combinations, or computer programs used to protect electronic information and government property or information that would identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with the official voter registration database;
- (3) Knowingly and without authorization makes or has in the person's possession a key to a voting machine, voting system, tabulator, or ballot box that will be used in an election in this state;
- (4) Intentionally substitutes or attempts to substitute forged or counterfeit election results; or
- (5) Intentionally and without authorization, directly or indirectly, alters, damages, destroys, or attempts to alter, damage, or destroy or causes disruption to the proper operation of any election website maintained, hosted, or administered by a state or county governmental entity or a third party on behalf of or under contract with a state or county governmental entity.

(b) A violation of subsection (a) is a Class D felony.

## **Unlawful examination, removal, rejection or destruction of marked ballots.**

Tenn. Code Ann. § 2-19-111

A person commits a Class A misdemeanor if, except as required or permitted by this title, such person intentionally opens and examines any voter's marked ballot, removes the ballot from the ballot box, prevents the ballot being placed in the ballot box or destroys or changes a voter's ballot.

## **Persons allowed in polling place.**

Tenn. Code Ann. § 2-7-103

(a) No person may be admitted to a polling place while the procedures required by this chapter are being carried out except election officials, voters, persons properly assisting voters, the press, poll watchers appointed under § 2-7-104 and others bearing written authorization from the county election commission.

(b) Candidates may be present after the polls close.

(c) No police or other law enforcement officer may come nearer to the entrance to a polling place than ten feet (10) or enter the polling place except at the request of the officer of elections or the county election commission or to make an arrest or to vote.

(d) No person may go into a voting machine or a voting booth while it is occupied by a voter except as expressly authorized by this title.

(e) In addition to persons authorized to be admitted to the polling place in subsection (a), a child under seventeen (17) years of age may accompany the child's parent or legal guardian into the polling place. Such child may also enter the voting machine or voting booth with such parent or guardian to observe the voting process.

*A violation of this section is a Class C misdemeanor.*

## **Poll watchers.**

Tenn. Code Ann. § 2-7-104

(c) Upon arrival at the polling place, a watcher shall display such watcher's appointment to the officer of elections and sign the register of watchers. Poll watchers may be present during all proceedings at the polling place governed by this chapter. They may watch and inspect the performance in and around the polling place of all duties under this title. A watcher may, through the judges, challenge any person who offers to vote in the election. A watcher may also inspect all ballots while being called and counted and all tally sheets and poll lists during preparation and certification. A poll watcher who wishes to protest any aspect of the conduct of the election shall present such protest to the officer of elections or to the county election commission or to an inspector. The officer of elections or county election commission shall rule promptly upon the presentation of any protest and take any necessary corrective action.

(d) No watcher may interfere with any voter in the preparation or casting of such voter's ballot or prevent the election officials' performance of their duties. No watcher may observe the giving of assistance in voting to a voter who is entitled to assistance. Watchers shall wear poll watcher badges with their names and their organization's name but no campaign material advocating voting for candidates or positions on questions.

## **Interference with another's duties or rights.**

Tenn. Code Ann. § 2-19-103

A person who knowingly does any act for the purpose of preventing any person's performance of such person's duties under this title or exercise of such person's rights under this title commits a Class A misdemeanor.

## **Arrangement of polling place — Restrictions.**

Tenn. Code Ann. § 2-7-111

(a) The officer of elections shall have the sample ballots, voting instructions, and other materials, which are to be posted, placed in conspicuous positions inside the polling place for the use of voters. The county election commission shall designate entrances to the building in which the election is to be held that are for the use of voters. The officer shall measure off one hundred feet (100) from the designated entrances and place boundary signs at that distance.

(b) (1) Within the appropriate boundary as established in subsection (a), and the building in which the polling place is located, the display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person, political party, or position on a question are prohibited. No campaign posters, signs or other campaign literature may be displayed on or in any building in which a polling place is located.

## **Carrying weapons on school property.**

Tenn. Code Ann. § 39-17-1309

(b) (1) It is an offense for any person to possess or carry, whether openly or concealed, with the intent to go armed, any firearm, explosive, explosive weapon, bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution.

(2) A violation of this subsection (b) is a Class E felony.

(c) (1)

(A) It is an offense for any person to possess or carry, whether openly or concealed, any firearm, not used solely for instructional or school-sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution.

(2) A violation of this subsection (c) is a Class B misdemeanor.

[Pursuant to Tenn. Code § 39-17-1309 (e), exceptions to this prohibition include the following persons while in the discharge of their official duties: officers of the federal, state, or local government, members of the U.S. armed forces, members of the Tennessee national guard, and private police or registered security guards employed for this purpose.]

## **Prohibition at certain meetings - Posted notice.**

Tenn. Code Ann. § 39-17-1359

(a) (1) Except as provided in §39-17-1313 [relating to transporting and storing a firearm in a motor vehicle], an individual, corporation, business entity, or local, state, or federal government entity or agent thereof is authorized to:

(A) Prohibit the possession of weapons by any person who is at a meeting conducted by, or on property owned, operated, or managed or under the control of the individual, corporation, business entity, or government entity; or

(B) Restrict the possession of weapons by any person who is at a meeting conducted by, or on property owned, operated, or managed or under the control of the individual, corporation, business entity, or government entity by allowing a handgun to be carried in a concealed manner only by persons authorized to carry a handgun pursuant to §39-17-1351 or §39-17-1366.

(2) The prohibition in subdivision (a)(1) shall apply to any person who is authorized to carry a firearm by authority of §39-17-1351 or §39-17-1366 [related to enhanced and concealed permit holders].

(b) (1) Notice of the prohibition or restriction permitted by subsection (a) shall be accomplished by displaying the notice described in subdivision (b)(3) in prominent locations, including all entrances primarily used by persons entering the property, building, or portion of the property or building where weapon possession is prohibited or restricted. The notice shall be plainly visible to the average person entering the building, property, or portion of the building or property, posted.

(2) The notice required by this section shall be in English, but a duplicate notice may also be posted in any language used by patrons, customers, or persons who frequent the place where weapon possession is prohibited or restricted.

(3) (A) A sign shall be used as the method of posting [and the content of the sign shall meet the requirements of § 39-17-1359 (b)(3)(B) and (C)].

(c) (1) It is an offense to possess a weapon in a building or on property that is properly posted in accordance with this section.

(2) Possession of a weapon on posted property in violation of this section is a Class B misdemeanor punishable by fine only of five hundred dollars (\$500).