



Urban League of  
Middle Tennessee

Empowering Communities.  
Changing Lives.



LEAGUE OF WOMEN VOTERS  
OF TENNESSEE



FREE HEARTS



April 30, 2019

The Honorable Bill Lee  
Governor of the State of Tennessee  
Tennessee Governor State Capitol, 1st Floor  
600 Dr. Martin L. King, Jr. Blvd.  
Nashville, TN 37243

*Re: Veto HB1079/SB971—restrictions on third-party voter registration drives*

Dear Governor Lee:

We, the Lawyers' Committee for Civil Rights Under Law, Tennessee State Conference of the NAACP, The Andrew Goodman Foundation, The Equity Alliance, Democracy Nashville-Democratic Communities, The League of Women Voters of Tennessee, The Urban League of Middle Tennessee, the Interdenominational Ministers

Fellowship, Free Hearts, Community Defense of East Tennessee, and the National Civil Rights Museum urge you to veto House Bill 1079/Senate Bill 971 for the following reasons.

- If enacted, the bill will have a chilling impact on the right of well-intentioned people and organizations to help eligible Tennessee citizens to register to vote.
- The criminal penalties for violating the preregistration requirements are harsh and would suppress the activities of non-partisan, non-profit organizations, campaigns, and political parties that collect voter registration applications and conduct voter registration drives and voter education initiatives which focus on increasing the participation of veterans, individuals with disabilities, women, African-American and other minority citizens, and youth and students in elections.
- The civil penalties that the bill imposes on groups for submitting a certain number of “incomplete” voter registration applications are harsh. And, the language around what “incomplete” means and what conduct actually incurs these penalties is ambiguous, overbroad, and provides far too much discretion to the State Election Commission and county commissioners. While the bill now spells out that “incomplete” means “any application that is lacking the applicant’s name, residential address, date of birth, declaration of eligibility, or signature,” it still remains unclear whether “incomplete” means “inaccurate.”
- Civil penalties are assessed in the aggregate when a group submits “incomplete” voter registration applications in multiple counties. This is especially problematic for groups that have multiple local chapters acting independently, including sororities, fraternities, the NAACP adult and youth councils, churches and other religious places of worship, and college campuses that pay interns and college students to register voters as a part of their job descriptions, among others.
- The bill contains a requirement that third-party groups and individuals turn in a sworn certification statement that says they will obey the law. Failure to turn in such a statement opens up a person or organization to a criminal penalty. There is no rational explanation for such a requirement other than to spread an unnecessary level of fear and chill the right of these groups and individuals to engage in expressive and associational activities guaranteed by the First Amendment.
- The bill imposes a criminal penalty on any organizations or political committees that intentionally or knowingly make a “public communication”

regarding voter registration status that does not contain a disclaimer that the communication is not in conjunction with or authorized by the Secretary of State. This section is vague, overbroad, and can violate protected constitutional activity under the First Amendment and the due process clause of the Fourteenth Amendment.

- The exemption that waives certain requirements for “unpaid” or volunteer groups is not a cure to the bill’s harmful effects because the meaning of “unpaid” is unclear and because many nonprofit groups and organizations hire canvassing firms, canvass themselves, or use a mix of paid and unpaid volunteers to collect voter registration applications.

For the reasons above, we oppose HB1079/SB971 and urge you to veto the bill.

Sincerely,

/s/ Kristen Clarke, President & Executive Director  
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