

Separate Registrations



The registration records of nonresident property owners must be kept separately. **NOTE:** Even if the nonresident property owner is also a registered voter of the county, the registrations are different and must be kept separately. (Except for city elections, do not count nonresident property owners in your county voter registration

Residency Requirements

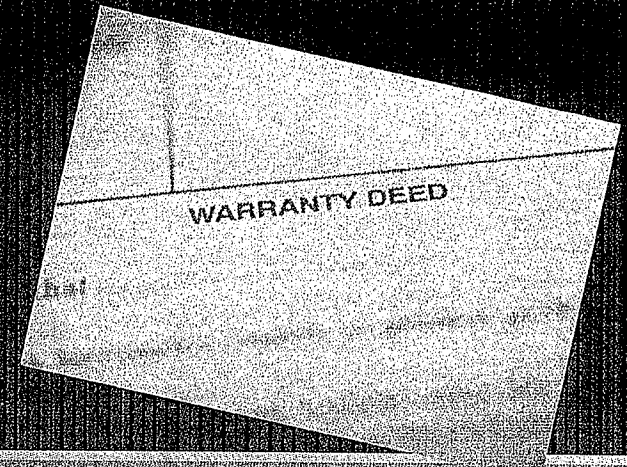
• Generally

- Attorney General Opinion No. 95-026 advises that the general law does not impose a residency requirement on nonresident property owners. Consequently, nonresident property owners may register and vote in the city elections regardless of whether the person is a resident of the county, State of Tennessee, or United States.

• Exceptions

- Municipal charters may require that the nonresident property owner be a qualified voter for members of the general assembly. If the city charter has such language, then the nonresident property owner must be a resident of the State of Tennessee in order to register and to vote in the city elections.
- Municipal charters may require that the nonresident property owner be a resident of the county or a qualified voter for members of the county civil district. If the city charter has such language, then the nonresident property owner must be a resident of the county in order to register and to vote in the city elections.

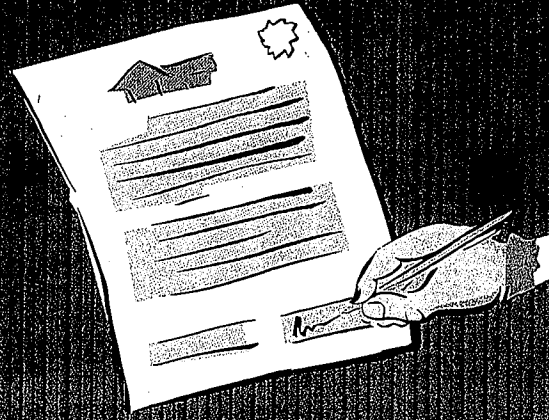
Proof of Ownership



A person who wants to register as a nonresident property owner must provide the county election commission with information sufficient to demonstrate property ownership within the municipal corporations.

Examples

1. A certified copy of the deed or
2. A certified copy of the tax records of the property showing the property owner's name.

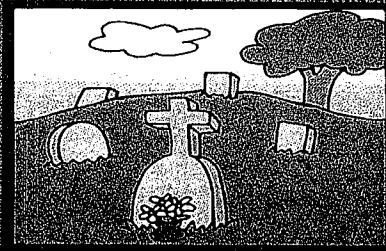


Caveats

1. If property tax receipts are presented as proof of ownership, the receipt must indicate who owns the property and not merely who paid the property taxes.
2. At the end of the voter registration period, the county election commission may want to verify property ownership with the register of deeds.

Size of Lot

- Few Square Feet Not Sufficient - AGO No. U88-96 (August 30, 1988) advises that ownership in tracts of land of only a few square feet does not render the person a bona fide owner of real property and does not entitle the person to register to vote in municipal elections.



- Property Large Enough to Build Dwelling or Commercial Structure – AGO No. 82-134 (March 16, 1982) advises that right to vote should be restricted to “those property owners who own a lot large enough to erect thereupon a dwelling or commercial building.”



Why Does Lot Size Matter?

A sufficient size is needed to show the persons named on the deed have a substantial enough interest in the property to constitute more than just a voting lot.



Additional Charter Requirements



Enforceable Requirements

- Ownership Percentage — 50% Ownership Required
- Minimum Assessed Value — Certain minimum value assessed, such as one thousand dollars (\$1,000.00)

Non-Enforceable Requirements

- Duration Requirement — 6 Months Before Election
- Limit Types of Election — Permit Voting only for Officers, but not Questions

Purging Registration of Nonresident Property Owner



- T.C.A. § 2-2-106 Reasons
- Property Sold
- No Activity for 2 municipal elections since confirmation notice sent.