

Updates to Tennessee's Voting Rights Restoration Law

Tennessee's voting rights restoration laws have changed *a lot* in the past three years. Here's how they work as of March 2026:

All Tennesseans convicted of felonies after May 18, 1981 lose the right to vote.ⁱ For decades, the only way to restore the right to vote was to go to court and petition a judge.ⁱⁱ In 2006, the state created a new separate process to restore voting rights by obtaining a "Certificate of Restoration" from the Tennessee Department of Correction.ⁱⁱⁱ But that process was a mess and only a tiny percentage of eligible people were able to get restored.^{iv} In 2023, under pressure to make common-sense improvements to the process, state election officials decided instead to blow it all up. Officials created illogical, nearly impossible requirements: you had to *both* go to court to petition and obtain a Certificate of Restoration.^v They even decided that a person could not restore their right to vote unless they restore their right to own a gun.^{vi}

Since then, the legislature has stepped in, passing two rounds of new laws governing voting rights restoration in 2025^{vii} and 2026.^{viii}

HOW DO YOU RESTORE THE RIGHT TO VOTE IN TENNESSEE TODAY?

Currently, the *only* way to restore your right to vote in Tennessee is by petitioning a court.

The petition may be filed in the court where you were convicted or where you reside.^{ix} You may request to restore the right to vote, the right to run for office, the right to serve on a jury, the right to serve as a fiduciary, and the right to possess firearms, but some of the rights have different requirements and the court will only grant restoration of the rights that you are eligible for.^x

TO BE ELIGIBLE FOR VOTING RIGHTS RESTORATION, YOU MUST MEET ALL OF THE FOLLOWING CRITERIA

- Have finished your felony sentence including any prison, probation, or parole, or have been pardoned.^{xi}
- You cannot have been convicted of certain crimes during certain time periods.^{xii} The new laws have not changed the list of these permanently disqualifying convictions.
- You cannot owe any victim restitution.^{xiii}
- You cannot owe child support arrears or, if you do, you must have been compliant with any payment orders for one year before petitioning the court.^{xiv}

WHAT DID THE NEW LAWS IN 2025 AND 2026 CHANGE?

- The new laws clarified that felony convictions prior to May 18, 1981 never disqualify a person from voting.^{xv}
- The new laws solidified that the only way to restore voting rights is to go to court. They eliminated the administrative Certificate of Restoration.^{xvi}
- You no longer need to have paid all outstanding court costs in order to be eligible for voting rights restoration.^{xvii}
- You may satisfy the child support requirement even if you owe arrears so long as you have been compliantly paying for one year. Previously, any amount of arrears would disqualify you from eligibility, even if you had been paying it down.^{xviii}
- Voting rights are no longer tied to gun rights. You may restore the right to vote even if you do not or cannot restore your right to possess a firearm.^{xix}

Other important things to know about the court petition process:

- The person filing the petition is responsible for collecting and attaching all of the relevant court records about their felony convictions and showing that they meet the eligibility criteria.^{xx} They must also attest to the accuracy of the information that they provide to the court.^{xxi}
- The Tennessee Attorney General, the Tennessee Election Division, and the local district attorney have the opportunity to oppose petitions for rights restoration, but should only do so on the basis that a person does not meet the eligibility criteria.^{xxii}
- Petitions may be granted without the judge calling for a hearing or the judge may ask the person to appear before the court.^{xxiii}
- Courts may require that the person filing a petition pay the costs of filing, which in some places can be over \$100.^{xxiv} But the petitioner can ask the judge to waive those costs if they cannot afford them. To do so, they should submit an “indigency” affidavit attesting to their finances, a template for which should be available at the court.^{xxv}
- Once you receive an order restoring your voting rights, you still have to obtain a certified copy of it, bring it to your local elections office, and register to vote.^{xxvi}

**FOR QUESTIONS ABOUT THE PETITION PROCESS PLEASE VISIT
RESTOREYOURVOTE.ORG OR BIT.LY/VOTE-RESTORATION-HELP**

HOW DOES TENNESSEE COMPARE TO OTHER STATES NOW?

The 2026 law eliminated the court costs requirement and opened the door for people who are compliant with child support for a year. That’s an important step forward and opens the door for tens of thousands of people to restore their voting rights.^{xxvii} But Tennessee is still bottom of the barrel when it comes to felony disenfranchisement and voting rights restoration. Only a handful of other states explicitly tie the right to vote to payment of legal financial debts^{xxviii} – a modern-day poll tax that allows rich people convicted of crimes to buy the right to vote back, but can leave people who can’t afford to pay disenfranchised forever. Tennessee is the only

state that connects voting rights with child support payments. Tennessee is one of only a handful of states with an extensive list of non-voting related crimes that forever block someone from the ballot box. It's no wonder that Tennessee has the highest rate of disenfranchisement in the country, the third largest population of disenfranchised people (despite being the 15th most populous state), and the highest rates of Black and Latinx disenfranchisement in the country.^{xxix}

The majority of states restore voting rights once a person has completed their prison sentence. It's time for Tennessee to catch up and let all Tennesseans have a voice in their communities.

ⁱ Tenn. Code Ann. § 2-19-143 (a),(b); *see also*, note XV *infra*.

ⁱⁱ 1981 Pub. Act 345, § 7.

ⁱⁱⁱ 2006 Pub. Act 860, § 1.

^{iv} Christopher Uggen, et al., "Locked Out: Estimates of People Denied Voting Rights Due to a Felony Conviction," The Sentencing Project (Oct. 30, 2020)
<https://www.sentencingproject.org/app/uploads/2022/08/Locked-Out-2020.pdf>.

^v Jonathan Mattise and Travis Loller, "Tennessee election officials: Court ruling raises bar for restoring felon voting rights," THE TENNESSEAN (July 24, 2023)
<https://www.tennessean.com/story/news/2023/07/24/tennessee-now-requires-court-order-or-pardon-before-felons-can-vote/70455898007>.

^{vi} See, Evan Mealins, "TN elections official: Before regaining right to vote, felons must be able to own a gun", THE TENNESSEAN (Jan. 23, 2024, 8:09PM)
<https://www.tennessean.com/story/news/2024/01/23/tennessee-voting-rights-officials-consider-linking-gun-voting-rights/72313073007/>.

^{vii} HB 445, SB 407 (2025) <https://capitol.tn.gov/Bills/114/Bill/HB0445.pdf>.

^{viii} SB 336, HB 687 (as amended by HA 602) (2026)
<https://capitol.tn.gov/Bills/114/Amend/HA0602.pdf>.

^{ix} Tenn. Code Ann. § 40-29-102(a).

^x Tenn. Code Ann. § 40-29-103(e).

^{xi} Tenn. Code Ann. § 40-29-102(a)(1-3).

^{xii} *Id.* at (b).

After July 1, 1986	After July 1, 1996	After July 1, 2006
<ul style="list-style-type: none"> • Voter fraud • Treason • First degree murder • Aggravated rape 	<ul style="list-style-type: none"> • Voter fraud • Treason • Any degree of murder • Any degree of rape 	<ul style="list-style-type: none"> • Voter fraud • Treason • Any degree of murder • Any degree of rape • Sexual offenses of violent sexual offenses that are felonies where the victim was minor (T.C.A. Sec. 40-39-202) • Crimes against the public trust including bribery, misconduct involving public officials and employees, and interference with government operations (T.C.A. Sec. 39-16, parts 1, 4, or 5)

^{xiii} *Id.* at (c)(1).

^{xiv} *Id.* at (c)(2).

^{xv} See, *Gaskin v. Collins*, 661 S.W.2d 865, 867 (Tenn. 1983) (holding that persons convicted of felonies between Jan. 15, 1973 and May 18, 1981 never lost the right to vote and cannot be retroactively disenfranchised); see also, Tenn. Code Ann. § 2-19-143(b) (“The right of suffrage is restored by operation of law on the effective date of this act to a person who forfeited the right of suffrage only because of a felony conviction prior to January 15, 1973.”)

^{xvi} HB 445 at Section 10 (2025) (deleting Tenn. Code Ann. § 40-29 part II which previously contained the Certificate of Restoration process).

^{xvii} SB 336 as amended by HA602 at Section 1 (deleting Code § 40-29-102(c)(2) which contained the court cost requirement).

^{xviii} Tenn. Code Ann. § 40-29-102(c)(3) (2025) as applied by uncodified Elections Division policy.

^{xix} Tenn. Code Ann. § 40-29-103(e)(2)(A-B).

^{xx} *Id.* at (a)(3), (d).

^{xxi} *Id.* at (a)(4).

^{xxii} *Id.* at (c)(1).

^{xxiii} *Id.* at (e)(1).

^{xxiv} *Id.* at (f).

^{xxv} Tennessee Courts, “Uniform Civil Affidavit of Indigency”

https://tncourts.gov/sites/default/files/uniform_civil_affidavit_of_indigency.pdf.

^{xxvi} Tenn. Code Ann. § 40-29-103(g).

^{xxvii} Dr. Traci Burch, Expert Report in *Tennessee NAACP v. Lee* at 12, 15 (Oct. 10, 2023)

<https://campaignlegal.org/document/expert-report-felony-disenfranchisement-and->

[restoration-tennessee](#) (estimating that 10.9% of Tennesseans who have completed their felony sentences owe child support arrears and that 65.4% owe court costs and/or restitution).

^{xxviii} Campaign Legal Center, “Can’t Pay, Can’t Vote: A National Survey on the Modern Poll Tax” (July 1, 2019) https://campaignlegal.org/sites/default/files/2019-07/CLC_CPCV_Report_Final_0.pdf.

^{xxix} Christopher Uggen, et al., “Locked Out 2024: Four Million Denied Voting Rights Due to a Felony Conviction,” The Sentencing Project at 18-20 (Oct. 10, 2024) <https://www.sentencingproject.org/reports/locked-out-2024-four-million-denied-voting-rights-due-to-a-felony-conviction/>.