

# Davidson County Election Commission

## Candidate Residency Challenge Procedures

- Any person who resides within the jurisdiction of the office being sought may challenge the qualifications of a candidate because they do not reside within the district/county or have not resided in the district/county/Tennessee for the time period required for the office.
- Any challenge to a candidate's qualifications shall be submitted to the AOE no later than the withdrawal deadline.
- Following receipt of a written challenge of a candidate's qualifications based on residency, the AOE shall notify the challenged candidate and the challenger.
- Unless otherwise specified below, all communication from the AOE will be via email.
- All residency challenges shall be adjudicated by the Davidson County Election Commission in a noticed meeting.
- The AOE shall invite the State Coordinator or designee to the hearing.
- The challenged candidate shall present evidence supporting their residence to the AOE as defined in Tennessee Code Annotated § 2-2-122.
- The challenger shall present evidence documenting their challenge to the residency qualifications of the candidate. The documents should contain dates relevant to the challenge.
- The challenger and the challenged candidate shall submit a witness list of individuals who will appear in-person before the Commission to provide relevant testimony under oath no later than noon on the tenth business day after notice of the challenge is sent by the AOE. The challenger and the challenged candidate may submit a notarized affidavit, in a form prescribed by the AOE, in lieu of in-person testimony.
- The challenged candidate shall submit evidence identifying their current residence and similar evidence to support the residency time period requirements for the office being sought. Examples of acceptable documents include Tennessee driver's license, residence identified on an occupational license, vehicle registration, federal tax return, employer-supplied W2, federal 1099, and residence identified on medical insurance policy. The documents should contain dates relevant to the challenge. A minimum of two documents should be submitted, but the submission of multiple documents is recommended.
- All evidence, including the list of witnesses submitted by the challenger and the challenged candidate, shall be submitted to the AOE no later than noon on the tenth

business day after notice of the challenge is sent by the AOE. The AOE shall consult with the Chairman of the Davidson County Election Commission to schedule a hearing before the members to address the residency challenge.

- The Election Commission may, at its sole discretion, review evidence received after the ten-day evidence submission time window has ended.
- The AOE may request a court reporter or certified stenographer attend the Election Commission meeting to transcribe the hearing.
- The State Coordinator of Elections or designee shall participate in the hearing before the Davidson County Election Commission.
- The AOE must send notice of the meeting date, time, location and purpose to the candidate whose qualifications have been challenged and to the person bringing the challenge. Notice should be delivered by certified mail, FedEx, UPS or process server.
- The AOE shall provide copies of any evidence submitted to the Election Commission members, the State Coordinator of Elections or designee, the challenged candidate, and the challenger no later than 48 hours before the Election Commission meeting date.
- Any confidential document emailed must utilize encryption or redaction to protect sensitive personal information.
- At the Election Commission meeting, the challenger, the challenged candidate, and individuals on the list of witnesses shall testify under oath. Members of the Election Commission and the State Coordinator of Elections or designee may ask questions of the challenged candidate, the challenger, and any individual on the witness list.
- The challenger and the challenged candidate may be represented by an attorney.
- The decision by the Davidson County Election Commission shall be considered the final decision of the Commission on the residency challenge.

Adopted by the Davidson County Election Commission on December 5, 2025.