

Tennessee Secretary of State  
Tre Hargett



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Coordinator of Elections

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June 12, 2018

Kerry Steelman  
Administrator of Elections  
Hamilton County Election Commission  
700 River Terminal Road  
Chattanooga, TN 37406

Dear Mr. Steelman,

Late last week, a person called the office questioning the residency of Representative Gerald McCormick, who has qualified to seek re-election in District 26. Representative McCormick filed his petition with a sufficient number of valid signatures on February 21, 2018. The qualifying deadline passed on April 4, 2018. The Hamilton County Election Commission met in a meeting open to the public on May 29, 2018, to approve qualified candidates, including Representative McCormick, and set the ballot for the August 2, 2018 election.

The question that was raised three months after Representative McCormick filed his petition to run as to his residency was not timely since the election commission has approved the candidates and military ballots must be sent out by June 18. However, since only qualified candidates are to be placed on the ballot, I did perform due diligence to ensure the determination on May 29 that Representative McCormick was in fact qualified to run for office was correct. For the reasons outlined below, Representative McCormick would have met the residency requirements had the challenge been made timely.

I reached out to Representative McCormick to inquire about his qualifications to run for office. Specifically, I inquired about whether he had purchased a house in Davidson County. He confirmed he did own a home with his wife in Davidson County, as well as a home in Hamilton County. He also provided several records showing that his residence for voting and candidacy purposes was in Hamilton County. These records include his driver license, receipts, utility and bank statements, and an IRS tax filing showing his address as 5311 Fairview Road, Hixson, TN 37343, which is in District 26. Independently, my office verified that he remains licensed as a

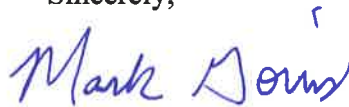
Real Estate Agent using a Chattanooga address, and that he and his wife continue to own and pay property taxes on the Fairview Road residential property.

A person may have multiple homes, but only one residence for voting and candidate qualifying purposes. T.C.A. § 2-2-122 provides that a person's residence is determined by a person's intent plus actions consistent with that intent and sets out factors that assist in determining a person's residency. These factors include possession of property, the location of a person's occupation, place of licensing or registration of personal property, payment of taxes, and the place a person is licensed for activities such as driving.

Based on the evidence provided and the information independently gathered by my office, Representative McCormick has evidence that he meets a sufficient number of factors under Tennessee law to support the determination that he meets the residency requirements to appear on the ballot as a candidate for state representative.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Mark Goins". The signature is written in a cursive style with a small flourish at the end.

Mark Goins  
Coordinator of Elections