

Stricken language would be deleted from and underlined language would be added to present law.
Act 1389 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/25/13 S4/8/13
A Bill

HOUSE BILL 1875

By: Representatives Slinkard, *Bell*

For An Act To Be Entitled

AN ACT TO ALLOW A COUNTY WITH ELECTRONIC VOTER
REGISTRATION RECORDS TO DESIGNATE VOTE CENTERS; TO
ALLOW VOTERS IN CERTAIN COUNTIES TO VOTE IN ONE SITE
REGARDLESS OF PRECINCT; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW A COUNTY WITH ELECTRONIC VOTER
REGISTRATION RECORDS TO DESIGNATE VOTE
CENTERS; AND TO ALLOW VOTERS IN CERTAIN
COUNTIES TO VOTE IN ONE SITE REGARDLESS
OF PRECINCT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 7-1-101, concerning definitions under
election law, is amended to add an additional subdivision to read as follows:

(35) "Vote center" means an election day location designated by
the county clerk or county board of election commissioners at which a
qualified elector from any precinct in the county holding the election may
vote.

SECTION 2. Arkansas Code Title 7, Chapter 1, is amended to add an
additional section to read as follows:

7-1-111. Vote centers.

(a)(1) The county clerk or county board of election commissioners may
establish one (1) or more vote centers in the county on election day under §
7-5-101.



(2) A vote center shall be available to any qualified elector registered to vote in the county who applies to the county clerk or county board of election commissioners while the polls are open on election day.

(b) If a vote center is used in an election, the vote center shall have a secure electronic connection to provide voting information to and receive voting information from a computerized registration book maintained by the county clerk.

(c) Before a person is permitted to cast a vote at a vote center, the county clerk or election official shall:

(1) Request that the voter identify himself or herself by stating his or her name, date of birth, and address in order to verify his or her registration and provide identification as required by law;

(2) Request that the voter provide identification as required by law;

(3) If the voter's name or address is not the same as that in the county voter registration record files, request that the voter complete an updated voter registration application form; and

(4)(A) Request that the voter sign a voting roster or voting request form that identifies his or her name, address, date of birth, and the date on the roster or form.

(B) The voting roster or voting request form shall contain the written or printed precinct number or ballot style of the voter.

(d) If the voter is not listed in the electronic county voter registration files, the county clerk or election official is unable to verify the voter's registration, and the voter contends that he or she is eligible to vote, the voter shall be directed to his or her polling site for the voter's precinct to cast a ballot.

(e) The county clerk or county board of election commissioners shall furnish a vote center location that adequately allows the voter to personally and secretly execute his or her vote.

(f) The Secretary of State shall promulgate rules for the vote centers that:

(1) Designate the electronic equipment to be used to verify the registration record of a voter;

(2) Establish standards for the maintenance and use of the equipment used at a vote center;

(3) Establish standards for the testing and backup of the equipment used at a vote center;

(4) Establish standards for a secure electronic connection between a vote center and a county's computerized registration book; and

(5) Establish procedures for the conduct of the vote center in the event that the electronic system fails.

SECTION 3. Arkansas Code § 7-5-101 is amended to read as follows:

7-5-101. Precinct boundaries, ~~and~~ polling sites, and vote centers – Establishment and alteration.

(a)(1) The county board of election commissioners shall:

(A) Establish election precincts; and

(B)(i) Designate a polling site for each precinct.

(ii) A polling site may serve two (2) or more precincts, including parts of precincts.

(2) Except as provided in § 6-14-106, the designation of polling sites shall be by a unanimous vote of the members of the county board present.

(b)(1) The county board by order may alter the boundaries of existing election precincts and establish new ones.

(2) A precinct shall not be altered and a new precinct shall not be created less than thirty (30) days before an election, except in the event of an emergency as determined by the county board.

(3)(A) An order to alter the boundaries of any precinct or establish any new one shall not be effective until it has been filed with the county clerk.

(B) The order shall contain a:

(i) Written description; and

(ii) Map of the boundaries of the precincts altered or established.

(c)(1) Within thirty (30) days after the boundaries of an election precinct are altered or a new election precinct is established, the county clerk shall submit five (5) copies of the changes in the form of a map and written descriptions to the Secretary of State.

(2) Upon receipt of the changes, the Secretary of State immediately shall forward a copy to the:

(A) Office of the Attorney General;
(B) Census State Data Center; and
(C) Cartography Section of the Arkansas State Highway and Transportation Department.

(d)(1) Except for school elections under § 6-14-106, the polling sites for each election shall be the same as those established for the immediately preceding general election unless changed by order of the county board.

(2) The county board shall not change a polling site for any precinct less than thirty (30) days before an election, except in the event of an emergency.

(3) Notice of any changes made in polling sites shall be provided by posting information at the polling sites used in the last election and, except for school elections and special elections, the notice shall be mailed by the county clerk to each affected registered voter at least fifteen (15) days before the election.

(e)(1)(A) Before establishing one (1) or more vote centers in the county under § 7-1-111, the county clerk shall certify to the Secretary of State and the county quorum court that the county has a secure electronic connection sufficient to prevent:

(i) An elector from voting more than once; and

(ii) Unauthorized access to a computerized registration book maintained by the county clerk.

(B) If the county clerk has certified to the county quorum court a determination of sufficiency under subdivision (e)(1)(A) of this section, the county may adopt an ordinance to establish vote centers for elections.

(C) The ordinance:

(i) Shall be filed with the county clerk, the county board of election commissioners, and the Secretary of State; and

(ii) Is effective when it is filed with the county clerk, the county board of election commissioners, and the Secretary of State.

(2)(A) Except for school elections under § 6-14-106, a vote center location for each election shall be the same as that established for the immediately preceding general election unless changed by order of the county clerk or county board of election commissioners.

(B) The county clerk or county board of election commissioners shall not change a vote center location for any precinct less than thirty (30) days before an election except in the event of an emergency.

(C) Notice of a change made to a vote center location shall be posted at the vote center location used in the last election, and except for school elections and special elections, the notice shall be published in a newspaper of general circulation in the county at least fifteen (15) days before the election.

/s/Slinkard

APPROVED: 04/19/2013