

Stricken language would be deleted from and underlined language would be added to present law.
Act 980 of the Regular Session

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H3/30/21 S4/7/21
A Bill

HOUSE BILL 1777

By: Representatives Clowney, Eaves, M. Gray, Vaught, Wardlaw, Dotson
By: Senators B. Davis, Hester

For An Act To Be Entitled

AN ACT TO PROTECT DOMESTIC VIOLENCE VICTIMS' VOTER
REGISTRATION INFORMATION; TO AMEND THE DUTIES OF THE
SECRETARY OF STATE; TO AMEND ARKANSAS ELECTION
PROCEDURE; AND FOR OTHER PURPOSES.

Subtitle

*TO PROTECT DOMESTIC VIOLENCE VICTIMS'
VOTER REGISTRATION INFORMATION; TO AMEND
THE DUTIES OF THE SECRETARY OF STATE; AND
TO AMEND ARKANSAS ELECTION PROCEDURE.*

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

SECTION 1. Arkansas Code § 7-5-109(a), concerning computerized voter registration lists, is amended to read as follows:

(a)(1) The county clerks of the several counties of the state may reproduce the registered voter list maintained by the county clerk in any format that the office of the county clerk is capable of providing.

(2) The county clerks of the several counties of the state shall not reproduce any address of a secure voter in any format unless otherwise authorized by law.

SECTION 2. Arkansas Code § 7-5-109(c), concerning computerized voter registration lists, is amended to read as follows:

(c)(1)(A) Upon request every county clerk who maintains on computer the list of registered voters within the county shall provide the list on



compact disc or other electronic medium, except the address of registered voters whose information is contained as a secure voter.

(B) The list of registered voters, excluding the address of registered voters listed as secure voters, shall include at least the names, addresses, and precinct numbers of the voters.

(2)(A) The fee for a list of registered voters, excluding the address of registered voters listed as secure voters, on compact disc or other electronic medium, of one (1) to five thousand (5,000) registered voters may be up to ten dollars (\$10.00).

(B) The fee for a list of registered voters, excluding the address of registered voters listed as secure voters, on compact disc or other electronic medium, of five thousand one (5,001) to twenty-five thousand (25,000) registered voters may be up to twenty-five dollars (\$25.00).

(C) The fee for a list of registered voters, excluding the address of registered voters listed as secure voters, on compact disc or other electronic medium, of more than twenty-five thousand (25,000) registered voters may be up to fifty dollars (\$50.00).

(3) If a printed list of registered voters, excluding the address of registered voters listed as secure voters, is requested, the cost of the list may be no more than two cents (2¢) per name and address.

SECTION 3. Arkansas Code § 7-5-110 is amended to read as follows:

7-5-110. Registration lists for each ballot combination.

In any precinct with more than one (1) ballot combination, the county clerk shall prepare precinct voter registration lists of registered voters, excluding the address of registered voters listed as secure voters, that identify the district, subdistrict, county, municipality, ward, and school zone in which each voter is qualified to vote.

SECTION 4. Arkansas Code Title 7, Chapter 5, Subchapter 1, is amended to add an additional section to read as follows:

7-5-112. Secure voter registration for domestic violence victims.

(a) A registered voter who is a victim of domestic violence may request secure voter status for his or her voter registration information.

(b) A registered voter designated as a secure voter is required to comply with all voter identification requirements when casting a ballot.

(c) Any address information for a secure voter is confidential and is not a public record under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(d) The Secretary of State shall promulgate rules in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to implement the process by which a registered voter who is the victim of domestic violence may request secure voter status from the county clerks, including without limitation the:

(1) Administrative process a county clerk shall use to verify eligibility for secure voter status;

(2) Documentation required for domestic violence victims to be approved for secure voter status;

(3) Format in which the county clerk shall maintain any address of all registered voters listed on the voter registration roll when the registered voter has a secure voter status; and

(4) Process for complying with a post-election challenge involving a secure voter.

(e) As used in §§ 7-5-109 and 7-5-110 and this section, "secure voter" means a registered voter who requests to have his or her address or addresses protected from public release and is a domestic violence victim who:

(1) Is the victim of any offense under § 5-26-301 et seq. as adjudicated by a court;

(2) Has been granted an order of protection under the Domestic Abuse Act of 1991, § 9-15-101 et seq.; or

(3) Is recognized as a victim of domestic violence in any court order or ruling.

SECTION 5. TEMPORARY LANGUAGE. DO NOT CODIFY. Promulgation of rules.

(a) When adopting the initial rules to implement this act, the final rules shall be filed with the Secretary of State for adoption under § 25-15-204(f):

(1) On or before January 1, 2022; or

(2) If approval under § 10-3-309 has not occurred by January 1, 2022, as soon as practicable after approval under § 10-3-309.

(b) The Secretary of State shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,

2022, so that the Legislative Council may consider the rule for approval before January 1, 2022.

/s/Clowney

APPROVED: 4/28/21