

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1461

By: Representatives Ladyman, Wing, Achor, Andrews, Barker, Beaty Jr., Beck, Bentley, M. Berry, Breaux, Brooks, K. Brown, M. Brown, Burkes, Joey Carr, C. Cooper, Cozart, Evans, C. Fite, L. Fite, Fortner, Furman, Gazaway, Gonzales, Gramlich, Haak, Hawk, Hollowell, Jean, Long, Lundstrum, Lynch, McAlindon, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S. Meeks, Miller, Milligan, K. Moore, Pilkington, Puryear, R. Scott Richardson, Richmond, Rose, Rye, Tosh, Underwood, Vaught, Womack, Wooten

By: Senators J. Petty, K. Hammer, Dees, M. McKee, Stone

For An Act To Be Entitled

AN ACT TO REQUIRE LEGISLATIVE REVIEW OF NEW FEDERAL ELECTION GUIDANCE; TO AMEND THE DUTIES OF THE SECRETARY OF STATE; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE LEGISLATIVE REVIEW OF NEW FEDERAL ELECTION GUIDANCE; AND TO AMEND THE DUTIES OF THE SECRETARY OF STATE.

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

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

7-1-115. Legislative review of new federal election guidance – Purpose – Definition.

(a) The purpose of this section is to ensure that the General Assembly has the opportunity to:

(1) Be informed of new federal election guidance; and

(2) Research the interaction between the new federal election guidance and state law.

(b) As used in this section “new federal election guidance” means any



federal directive, guidance, written communication, or verbal communication pertaining to elections, including without limitation:

(1) Time, place, and manner suggestions for carrying out an election in the state;

(2) A potential violation of federal election law; and

(3) Guidance issued by the United States Department of Justice or any other federal executive agency related to new or existing voting or election laws.

(c) All state and county election officials shall submit all new federal election guidance to the office of the Secretary of State within two (2) business days of receipt of the new federal election guidance.

(d) The office of the Secretary of State shall:

(1) Be the custodian of all new federal election guidance concerning an election conducted in the state;

(2) Prepare a report of all new federal election guidance to be submitted to the Joint Performance Review Committee by September 1 of each year; and

(3)(A) Compile from the following persons or entities all new federal election guidance concerning elections in the state given by the United States Department of Justice or any other federal executive agency:

(i) County boards of election commissioners;

(ii) County election officials;

(iii) The State Board of Election Commissioners; and

(iv) Employees of the Secretary of State's office.

(B) Information required under subdivision (d)(3)(A) of this section shall include new federal election guidance concerning elections transmitted through:

(i) Telephonic or electronic means;

(ii) The mail; or

(iii) In-person contact.

APPROVED: 3/16/23