

Stricken language would be deleted from and underlined language would be added to present law.
Act 320 of the Regular Session

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H2/16/23 H2/22/23
A Bill

HOUSE BILL 1411

By: Representatives McAlindon, 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, Ladyman, Long, Lundstrum, Lynch, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S. Meeks, Miller, Milligan, K. Moore, Painter, Pearce, Pilkington, Puryear, R. Scott Richardson, Richmond, Rose, Rye, Schulz, Steimel, Tosh, Underwood, Vaught, Womack, Wooldridge, Wooten
By: Senators Stone, K. Hammer, Crowell, Dees, M. McKee, J. Petty

For An Act To Be Entitled

AN ACT TO AMEND THE PROHIBITION ON THE DELIVERY OF
UNSOLICITED ABSENTEE BALLOT APPLICATIONS TO ELECTORS;
TO AMEND THE LAW CONCERNING ABSENTEE BALLOTS; TO
AMEND THE LAW CONCERNING MATERIALS FURNISHED TO
QUALIFIED VOTERS WITH ABSENTEE BALLOTS; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE PROHIBITION ON THE DELIVERY
OF UNSOLICITED ABSENTEE BALLOT
APPLICATIONS TO ELECTORS; AND TO AMEND
THE LAW CONCERNING ABSENTEE BALLOTS.

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

SECTION 1. Arkansas Code § 7-5-404(a)(1), concerning applications for absentee ballots, is amended to read as follows:

(a)(1)(A)(i) Applications for absentee ballots shall be delivered to an applicant with the application blank except for the information that may be automatically populated by the voter registration system.

(ii) No voter selections shall be pre-filled on an



application for an absentee ballot.

(B) Applications for absentee ballots ~~must~~ shall be signed by the applicant and verified by the county clerk by checking the voter's name, address, date of birth, and signature from the voter registration application unless the application is sent by electronic means.

~~(B)~~ (C) If the application is sent by electronic means, the application ~~must~~ shall bear a verifiable facsimile of the applicant's signature.

(D) If an applicant is given assistance filling out an application for an absentee ballot, the person giving assistance to the applicant shall provide his or her name, address, and signature on the application.

SECTION 2. Arkansas Code § 7-5-405(a)(2), concerning the application form for absentee ballots, is amended to add an additional subdivision to read as follows:

(I) A statement indicating whether the voter has received assistance filling out the application for an absentee ballot, and the name address, and signature of the person providing assistance.

SECTION 3. Arkansas Code § 7-5-409(d), concerning materials furnished to qualified voters, is amended to read as follows:

(d) The county clerk shall not deliver an absentee ballot to any person other than the absentee voter unless the person picking up the ballot ~~provides current and valid photographic identification to the county clerk that he or she is:~~

(1) Is either:

(A) The voter's:

~~(A)(i)~~ Designated bearer; or

~~(B)(ii)~~ Authorized agent; or

~~(2)(B)~~ The administrator of a long-term care or residential care facility licensed by the state in which the voter resides; and

(2) Provides to the county clerk a current and valid federal-issued or state-issued document or identification card that includes his or her name and photograph.

SECTION 4. Arkansas Code § 7-5-409, concerning materials furnished to qualified voters, is amended to add an additional subsection to read as follows:

(j) A person who purposely violates subsection (h) of this section upon conviction shall be guilty of a Class A misdemeanor.

/s/McAlindon

APPROVED: 3/21/23