

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 291

By: Senator K. Hammer
By: Representative Rose

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING COMPLAINTS OF
ELECTION LAW VIOLATIONS; TO AMEND THE DEADLINES FOR
COMPLAINTS OF ELECTION LAW VIOLATIONS; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING COMPLAINTS
OF ELECTION LAW VIOLATIONS; AND TO AMEND
THE DEADLINES FOR COMPLAINTS OF ELECTION
LAW VIOLATIONS.

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

SECTION 1. Arkansas Code § 7-4-120(b)(1)(A), concerning complaints of election law violations filed with the State Board of Election Commissioners, is amended to read as follows:

(b)(1)(A) A complaint shall be filed with the State Board of Election Commissioners in writing no earlier than ~~the date established by law for the delivery or mailing of absentee ballots to a voter and no later than thirty (30) days following the deadline to certify an election by a county board of election commissioners~~ forty-nine (49) days prior to the date of the election and no later than forty-nine (49) days following the date of the election of the following:

(i) An alleged violation of the laws regarding elections including without limitation:

- (a) Voter registration;
- (b) Requests for absentee ballots;



- (c) Delivery of absentee ballots;
- (d) Casting of ballots;
- (e) Ballot tabulation;
- (f) Certification of election results;
- (g) Administration of an election;
- (h) Election processes; or
- (i) Conduct of an election; or
- (ii) The election or elections affected or associated with the complaint.

SECTION 2. Arkansas Code § 7-4-120(b)(1)(B), concerning the contents of a complaint of election laws filed with the State Board of Election Commissioners, is amended to read as follows:

(B) A complaint may be referred to the State Board of Election Commissioners by the Joint Performance Review Committee and is not subject to the ~~thirty (30) day~~ filing requirement under this subdivision (b)(1).

SECTION 3. Arkansas Code § 7-4-120(c)(2)-(4), concerning complaints of election law violations filed with the State Board of Election Commissioners, are amended to read as follows:

(2) Except as provided in subdivisions (c)(3) and (4) of this section, records under this section are exempt from disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq., until:

(A) ~~A hearing by the State Board of Election Commissioners is set~~ Thirty (30) days after the final adjudication at which the State Board of Election Commissioners makes a final decision, at which point the records of the investigation upon which the State Board of Election Commissioners has based its findings shall be opened to public inspection; or

(B) ~~The investigation by the State Board of Election Commissioners is closed by the State Board of Election Commissioners~~ A public hearing before the State Board of Election Commissioners is set.

(3) The State Board of Election Commissioners ~~shall~~ may disclose, through its members or staff, otherwise confidential information to proper law enforcement officers, agencies, and other entities as is necessary to conduct the investigation under this section.

(4) ~~The records of the investigation upon which the State Board of Election Commissioners has based its findings shall be opened to public inspection thirty (30) days after the final adjudication in which the State Board of Election Commissioners makes a final decision~~ Election monitor reports generated by a state election monitor are not subject to the exemptions under this subsection.

SECTION 4. Arkansas Code § 7-4-120(i)(1), concerning complaints of election law violations filed with the State Board of Election Commissioners, is amended to read as follows:

(i)(1) The State Board of Election Commissioners shall conclude its investigation and take its final action under this section within ~~one hundred eighty (180)~~ one hundred eighty-two (182) days of the ~~filing of a complaint~~ final deadline to file a complaint for the election.

SECTION 5. Arkansas Code § 7-4-120(i)(3) and (4), concerning complaints of election law violations filed with the State Board of Election Commissioners, are amended to read as follows:

(3) ~~However, if~~ If the State Board of Election Commissioners fails to take its final action within ~~one hundred eighty (180)~~ one hundred eighty-two (182) days following the deadline to file a complaint, the final administrative action shall be effective within ~~one hundred eighty (180)~~ one hundred eighty-two (182) days ~~of the filing of the complaint~~ following the deadline to file a complaint.

(4) If the State Board of Election Commissioners makes its offer of settlement and the offer is rejected under this section, the State Board of Election Commissioners may conduct a hearing and shall take final action under this section within ~~two hundred forty (240)~~ two hundred forty-five (245) days.

SECTION 6. Arkansas Code § 7-4-124(f), concerning an election integrity review conducted by the State Board of Election Commissioners, is amended to read as follows:

(f) If a county official refuses to provide records requested to conduct a review under this section, the board may consider the failure to provide documents as an indication that a criminal election law violation has

occurred authorizing the filing of a complaint under § 7-4-120 more than ~~thirty (30)~~ forty-nine (49) days after ~~the deadline to certify~~ the election.

APPROVED: 3/12/25