

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

State of Arkansas
91st General Assembly
Regular Session, 2017

HJR 1016

By: Representatives Lundstrum, Ballinger, Bentley, Brown, Capp, Collins, Cozart, Dalby, Davis, Deffenbaugh, Della Rosa, C. Douglas, Drown, Eaves, Farrer, C. Fite, L. Fite, Gates, M. Gray, Hammer, Hollowell, Jean, Ladyman, Lynch, Maddox, A. Mayberry, McCollum, Miller, Payton, Penzo, Pilkington, Rushing, Rye, B. Smith, Sorvillo, Tosh, Vaught, J. Williams

By: Senators B. King, Collins-Smith, L. Eads, J. English, Files, Flippo, J. Hendren, Hester, B. Johnson, Rapert, G. Stubblefield, D. Wallace

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING THE PRESENTATION OF VALID PHOTOGRAPHIC IDENTIFICATION WHEN VOTING; REQUIRING THAT A VOTER PRESENT VALID PHOTOGRAPHIC IDENTIFICATION WHEN VOTING IN PERSON OR WHEN CASTING AN ABSENTEE BALLOT; AND PROVIDING THAT THE STATE OF ARKANSAS ISSUE PHOTOGRAPHIC IDENTIFICATION AT NO CHARGE TO ELIGIBLE VOTERS LACKING PHOTOGRAPHIC IDENTIFICATION.

Subtitle

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING VOTER IDENTIFICATION WHEN CASTING A BALLOT.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Representatives and Senators, if a majority of the electors voting thereon at the election



adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Arkansas Constitution, Article 3, § 1, is amended to read as follows:

§ 1. Qualifications of electors.

(a) Except as otherwise provided by this Constitution, any person may vote in an election in this state who is:

- (1) A citizen of the United States;
- (2) A resident of the State of Arkansas;
- (3) At least eighteen (18) years of age; and
- (4) Lawfully registered to vote in the election.

(b)(1) In addition to the qualifications under subsection (a) of this section, the General Assembly shall provide by law that a voter shall:

(A) Present valid photographic identification before receiving a ballot to vote in person; and

(B) Enclose a copy of valid photographic identification with his or her ballot when voting by absentee ballot.

(2) The General Assembly shall establish by law the types of photographic identification that a person may present to comply with subdivision (b)(1) of this section.

(c) The State of Arkansas shall issue photographic identification at no charge to an eligible voter who does not have a form of photographic identification meeting the requirements of the law enacted by the General Assembly under this section.

(d)(1)(A) A voter unable to present valid photographic identification when voting in person shall be permitted to vote a provisional ballot.

(B) An absentee ballot that is not accompanied by a copy of valid photographic identification shall be considered a provisional ballot.

(2) A provisional ballot under subdivision (d)(1) of this section shall be counted only if the voter subsequently certifies the provisional ballot in a manner provided by law.

(e)(1) The General Assembly shall implement the provisions of this amendment by law.

(2) The General Assembly may provide by law for exceptions to

the requirement that a voter:

(A) Present valid photographic identification before receiving a ballot to vote in person; and

(B) Enclose a copy of valid photographic identification with his or her ballot when voting by absentee ballot.

(f) A voter meeting the requirements of this section also shall comply with all additional laws regulating elections necessary for his or her vote to be counted.

SECTION 2. BALLOT TITLE AND POPULAR NAME. When this proposed amendment is submitted to the electors of this state on the general election ballot:

(1) The title of this joint resolution shall be the ballot title; and

(2) The popular name shall be "A Constitutional Amendment Adding as a Qualification to Vote that a Voter Present Certain Valid Photographic Identification When Casting a Ballot In Person or Casting an Absentee Ballot."