

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

SENATE BILL 300

By: Senator B. King

## For An Act To Be Entitled

AN ACT TO CREATE A VOTER INTEGRITY UNIT ADMINISTERED BY THE SECRETARY OF STATE; TO PROVIDE FOR COMPREHENSIVE INVESTIGATIONS OF ELECTION MISCONDUCT; TO PERMIT THE REVIEW ELECTION PROCEDURE; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO CREATE A VOTER INTEGRITY UNIT ADMINISTERED BY THE SECRETARY OF STATE; TO PROVIDE FOR COMPREHENSIVE INVESTIGATIONS OF ELECTION MISCONDUCT; AND TO PERMIT THE REVIEW ELECTION PROCEDURE.

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. Voter Integrity Unit – Creation.

(a) There is created a Voter Integrity Unit.

(b) The Voter Integrity Unit shall be composed of four (4) members of the staff of the Secretary of State who are designated by the Secretary of State, including:

(1) The Director of the Elections Division of the Secretary of State, or a designee selected by the Secretary of State, to serve as Chair of the Voter Integrity Unit;

(2) The General Counsel of the Secretary of State;



(3) One (1) employee of the Elections Division of the Secretary of State; and

(4) One (1) officer of the State Capitol Police.

(c) The Voter Integrity Unit shall investigate any complaint of election irregularity or alleged violation of election law that has been filed with the State Board of Election Commissioners.

(d) The Voter Integrity Unit shall:

(1)(A) Conduct an investigation of each complaint of election irregularity or alleged violation of election law.

(B) In the course of an investigation, the Voter Integrity Unit may:

(i) Conduct a hearing;

(ii) Use the power of subpoena to compel the:

(a) Attendance and testimony of a witness; and

(b) Production of evidence, including without limitation books, records, or other documents; and

(iii) Administer an oath for the purpose of taking sworn testimony; and

(2) Render a report on the result of the investigation to the Secretary of State.

(e) Within thirty (30) calendar days of receiving the report, the Secretary of State shall present the results of the report to a meeting of the board.

(f) The board shall receive the report and within thirty (30) calendar days from receipt of the report determine an official response from the board, including without limitation:

(1) Dismissal of the complaint of election irregularity or violation of election law;

(2) Issuance of a letter of caution to individuals or entities responsible for election irregularity; or

(3) Referral of the instance of alleged election law violation to:

(A) The prosecuting attorney for the jurisdiction in which the alleged election law violation occurred; or

(B) The United States Attorney for the jurisdiction in which the alleged election law violation occurred.

(g) Within sixty (60) calendar days of determining the official response of the board to the instance of election irregularity or alleged violation of election law, the board shall submit to the House Committee on State Agencies and Governmental Affairs and the Senate Committee on State Agencies and Governmental Affairs a report that includes without limitation the:

(1) Name of the complainant or entity filing the complaint of election irregularity or alleged election law violation;

(2) Date the incident is alleged to have occurred;

(3) Date of the complaint;

(4) Location in which it is alleged that the incident occurred;

(5) Detailed explanation of the complaint of election irregularity or alleged election law violation;

(6) Report of the Voter Integrity Unit to the Secretary of State; and

(7) Resolution report of the board, including:

(A) Minutes of the meeting of the board on the report of the Voter Integrity Unit;

(B) Determination of the board regarding disposition of the complaint of election irregularity or alleged election law violation; and

(C) Copies of any referrals to prosecutors or United States Attorneys.