

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H2/18/19
A Bill

HOUSE BILL 1388

By: Representatives Gonzales, Boyd

By: Senator M. Pitsch

For An Act To Be Entitled

AN ACT TO ENSURE REGISTERED VOTERS ARE UNITED STATES CITIZENS; TO CREATE A PROCESS FOR TRANSFER OF INFORMATION FROM THE JUDICIARY TO THE VOTER REGISTRATION OFFICIALS; TO AMEND AMENDMENT 51 OF THE ARKANSAS CONSTITUTION; AND FOR OTHER PURPOSES.

Subtitle

TO ENSURE REGISTERED VOTERS ARE UNITED STATES CITIZENS; TO CREATE A PROCESS FOR TRANSFER OF INFORMATION FROM THE JUDICIARY TO THE VOTER REGISTRATION OFFICIALS; AND TO AMEND AMENDMENT 51 OF THE ARKANSAS CONSTITUTION.

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

SECTION 1. Under the authority permitted under § 19 of Amendment 51 of the Arkansas Constitution, Arkansas Constitution, Amendment 51, § 11(e)-(g), concerning cancellation of voter registration, are amended to read as follows:

(e)(1)(A) If upon inquiry an individual is found by a court to be unfit and disqualified to act as a grand or petit juror because the person is not a citizen of the United States:

(i) The name of the individual shall be put aside and not used; and

(ii) A notation of the dismissal of the name and



reason for dismissal of the name shall be made in the jury book.

(B) The circuit clerk shall promptly notify the permanent registrar of the county of residence of an individual who is disqualified from serving as a juror under subdivision (e)(1)(a) of this section.

(C) After receiving the notice from the circuit clerk, the permanent registrar shall promptly cancel the dismissed juror's voter registration, update the voter registry, and send the dismissed juror notice under subsection (f) of this section.

(2)(A) It is the duty of any person whose registration has been cancelled under subsection (e) of this section to provide the permanent registrar with proof from the appropriate federal, state, or local agency that he or she is a citizen of the United States.

(B) Upon complying with subdivision (e)(2)(A) of this section the person shall be deemed eligible to vote and the permanent registrar shall add the citizen to the voter registry upon the citizen's application for voter registration.

(f) Within ten (10) days following the receipt or possession of information requiring any cancellation of registration, other than under section 11(a)(1) of this amendment, the permanent registrar shall cancel the registration, note the date of the cancellation, the reason for the cancellation, and the person cancelling the registration.

~~(f)(1)~~(g)(1) The permanent registrar shall, thirty (30) days before cancellation, notify all persons whose registration records are to be cancelled in accordance with section 11(a)(1) of this amendment. The notice may be either by publication or by first class mail. The notice by mail shall be as follows:

“NOTICE OF IMPENDING CANCELLATION OF VOTER REGISTRATION.

According to our records you have not responded to our address confirmation notice and you have not voted in any election during the period beginning on the date of the notice and ending on the day after the date of the second general election for federal office after the date of the first notice. This may indicate that you no longer live at the residence address printed on the postcard. If your permanent residence address is still the same as the printed address on this postcard YOU MUST CONFIRM YOUR RESIDENCE ADDRESS in order to remain on the voter registration list. If you do not return the attached postcard within thirty (30) days after the date

postmarked on this card YOUR REGISTRATION WILL BE CANCELLED and you will have to re-register to vote.”

(2) When, in response to the notice, a qualified voter requests the permanent registrar not to cancel the voter registration, the voter registration shall not be cancelled under section 11(a)(1) of this amendment.

~~(g)~~(h) The permanent registrar is authorized, and may be directed by the county board of registration, to determine by mail check, house to house canvass, or any other reasonable means at any time within the whole or any part of the county whether active record registration files contain the names of any persons not qualified by law to vote. Further, upon application based upon affidavits of one (1) or more qualified voters by the prosecuting attorney for the county, the circuit judge of the county, for good cause shown, may order the permanent registrar to make sure determination or to cancel the registration of such unqualified persons.

/s/Gonzales