

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1667

By: Representative Brown

For An Act To Be Entitled

AN ACT CONCERNING ABSENTEE BALLOTS AND ADMINISTRATORS OF LONG-TERM CARE OR RESIDENTIAL CARE FACILITIES LICENSED BY THE STATE; TO REQUIRE THE SECRETARY OF STATE TO CREATE A PROGRAM TO EDUCATE ADMINISTRATORS ABOUT CERTAIN ABSENTEE VOTING PROCEDURES; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE SECRETARY OF STATE TO CREATE A PROGRAM TO EDUCATE ADMINISTRATORS OF LONG-TERM CARE OR RESIDENTIAL CARE FACILITIES ABOUT CERTAIN ABSENTEE VOTING PROCEDURES.

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

SECTION 1. Arkansas Code § 7-5-403(d), concerning requirements for administrators to obtain and deliver absentee ballots, is amended to to read as follows:

(d)(1)(A) An administrator who has completed the program and passed the examination under subdivision (d)(7) of this section may deliver to the county clerk an application for an absentee ballot for any voter who is a patient of a long-term care or residential care facility licensed by the state and who authorizes the administrator to obtain an absentee ballot on his or her behalf.

(B) The absentee ballot application shall identify the administrator by name as the administrator of the facility where the voter



resides.

(2) Upon presentation of photographic identification to the county clerk, an administrator may receive absentee ballots for as many qualified residents of the facility as:

- (A) Apply for absentee ballots; and
- (B) Identify the administrator in the voter's absentee

ballot application.

(3)(A) An administrator may deliver the absentee ballot to the county clerk for any voter who names the administrator on his or her application and voter statement.

(B) Absentee ballots may be delivered to the county clerk in person by the administrator or by mail.

(4) Before obtaining an absentee ballot, an administrator shall submit to the county clerk an affidavit on the form prescribed by the Secretary of State, signed and dated by the administrator, ~~stating:~~

(A) ~~That~~ Stating that he or she is the administrative head of a long-term care or residential care facility licensed by the state;

(B) ~~The~~ Stating the name and address of the facility;

(C) ~~That~~ Stating that he or she has been authorized by the voters who reside in his or her facility to obtain from the county clerk and return to the county clerk absentee ballots on their behalf; ~~and~~

(D) ~~That~~ Stating that each of the voters for whom the administrator seeks to obtain an absentee ballot has named the administrator on his or her application; ~~and~~

(E) Including the following attestation:

“I ACKNOWLEDGE THAT UNDER ARKANSAS LAW ANY MARK MADE BY ME ON THE ABSENTEE BALLOT OF A VOTER WHO RESIDES IN MY LONG-TERM CARE FACILITY OR RESIDENTIAL NURSING FACILITY HAS BEEN MADE AT THE REQUEST OF THE VOTER, IS LIMITED TO ONLY AN INDICATION OF THE VOTER’S CHOICE, AND HAS BEEN MADE WITHOUT COMMENT OR INTERPRETATION BY ME.”

(5) The county clerk shall attach a copy of the administrator's affidavit to each application for an absentee ballot delivered by the administrator to the county clerk.

(6) When the ballots are returned by the administrator in person

or by mail, the county clerk shall write or stamp the word "ADMINISTRATOR" and write the administrator's name on the voter's absentee ballot return envelope.

(7)(A) The Secretary of State shall create a:

(i) Program to educate administrators who handle absentee ballots under subsection (d) of this section about absentee voting procedures and voter fraud prevention; and

(ii) Examination designed to test the sufficiency of the administrator's knowledge concerning absentee voting procedures and voter fraud prevention.

(B) The Secretary of State may create the program and administer the examination by online electronic means.

SECTION 2. EFFECTIVE DATE. This act is effective on and after January 1, 2020.