State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 572

By: Senators Elliott, L. Chesterfield

For An Act To Be Entitled

AN ACT TO ALLOW VOTER REGISTRATION AND BALLOT ACCESS FOR ELIGIBLE PERSONS INCARCERATED IN COUNTY JAILS; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW VOTER REGISTRATION AND BALLOT ACCESS FOR ELIGIBLE PERSONS INCARCERATED IN COUNTY JAILS.

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

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) Improving voter participation is in the interest of all Arkansans;

(2) There are hundreds of people in Arkansas who are eligible to register to vote but are not registered to vote;

(3) A number of those people eligible to register to vote but who are not registered to vote are housed in Arkansas county jails;

(4) There are thousands of persons registered to vote who do not vote; and

(5) A number of those people registered to vote and who do not vote are housed in Arkansas county jails.

(b) It is the intent of the General Assembly that county clerks consult with administrators of county jails, and other appropriate county elected officials to create a process to allow county officials or volunteers to:

(1) Register eligible persons housed in county jails to vote;

(2) Deliver absentee ballots to eligible registered voters; and

(3) Pick up absentee ballots from the county jail and deliver absentee ballots to the clerk's office.

SECTION 2. Arkansas Code § 7-5-403, concerning absentee ballots and designated bearers, authorized agents, and administrators, is amended to add an additional subsection to read as follows:

(f)(1)(A) The administrator for a county jail, or his or her designee, shall deliver to the county clerk an application for an absentee ballot for any voter who is incarcerated in a county jail who authorizes the administrator, or his or her designee, to obtain an absentee ballot on his or her behalf.

(B) The absentee ballot application shall identify the administrator, or his or her designee, by name and the county jail where the voter resides.

(2) Upon presentation of the administrator's, o rhis or designee's, photographic identification to the county clerk, an administrator, or his or her designee, may receive absentee ballots for as many qualified residents of the county jail as:

(A) Apply for absentee ballots; and

(B) Identify the administrator, or his or her designee, in the voter's absentee ballot application.

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

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

(4) Before obtaining an absentee ballot, an administrator, or his or her designee, shall submit to the county clerk an affidavit, signed and dated by the administrator, or his or her designee, stating:

(A) That he or she is the administrative head of a county jail, or the designee of the administrative head of the county jail;

(B) The name and address of the county jail;

(C) That he or she has been authorized by the voters who reside in his or her county jail to obtain from the county clerk and return

to the county clerk absentee ballots on their behalf; and

(D) That each of the voters for whom the administrator, or his or her designee, seeks to obtain an absentee ballot has named the administrator, or his or her designee, on his or her application.

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

(6) When the ballots are returned by the administrator, or his or her designee, in person or by mail, the county clerk shall write or stamp the word "ADMINISTRATOR" and write the administrator's, or his or her designee's, name on the voter's absentee ballot return envelope.