

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

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/1/21 S4/22/21  
**A Bill**

HOUSE BILL 1615

By: Representative Ladyman  
By: Senator K. Hammer

### For An Act To Be Entitled

AN ACT TO AMEND ELECTION PROCEDURES; TO AMEND THE REQUIREMENTS FOR ELECTION OFFICIALS; TO AMEND THE LOCATION OF POLLING PLACES; TO AMEND THE LAW CONCERNING THE INFORMATION CONTAINED IN THE VOTER REGISTRATION LIST; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND ELECTION PROCEDURES; TO AMEND THE REQUIREMENTS FOR ELECTION OFFICIALS; TO AMEND THE LOCATION OF POLLING PLACES; AND TO AMEND THE LAW CONCERNING THE INFORMATION CONTAINED IN THE VOTER REGISTRATION LIST.

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

*SECTION 1. Arkansas Code § 7-4-101(f), concerning the members, officers, meetings, and duties of the State Board of Election Commissioners, is amended to add additional subdivisions to read as follows:*

*(15) Consider an appeal filed to challenge a reduction in the number of polling sites in a county by a county board of election commissioners under § 7-5-101; and*

*(16) Formulate, adopt, and promulgate rules for governing the appeal of a county board of election commissioners' reduction in the number of polling sites in a county under § 7-5-101.*



SECTION 2. Arkansas Code § 7-4-109(a), concerning qualifications of state and county commissioners, election officials, poll workers, and certified election monitors, is amended to add an additional subdivision to read as follows:

(4) A person shall be eligible to serve as an election official if the person is married to or related within the second degree of consanguinity to a candidate running for office in the election who is unopposed and the person is appointed to serve as an election official at a polling place or vote center designated to serve a geographic area with a population of less than one thousand (1,000) qualified electors.

SECTION 3. Arkansas Code § 7-5-101(a), concerning the establishment and alteration of precinct boundaries, polling sites, and vote centers, is amended to read as follows:

(a)(1) The county board of election commissioners shall:

(A) Establish election precincts; and

(B)(i) Designate a polling site for each precinct.

(ii) A polling site may serve two (2) or more precincts, including parts of precincts.

(2) Except as provided in § 6-14-106, the designation of polling sites shall be by a unanimous vote of the members of the county board of election commissioners present.

SECTION 4. Arkansas Code § 7-5-101(d)(2), concerning the establishment and alteration of precinct boundaries, polling sites, and vote centers, is amended to read as follows:

(2)(A) The county board of election commissioners shall not change a polling site for any precinct less than ~~thirty (30)~~ sixty (60) days before ~~an~~ a preferential primary election or general election, except in the event of an emergency.

(B) The county board of election commissioners shall not change a polling site for any precinct less than thirty (30) days before an election other than a preferential primary or general election, except in the event of an emergency.

SECTION 5. Arkansas Code § 7-5-101(d), concerning the establishment

and alteration of precinct boundaries, polling sites, and vote centers, is amended to add an additional subdivision to read as follows:

(4)(A) If the county board of election commissioners reduces the total number of polling sites available in the county in a preferential primary election or a general election, a qualified elector of the county may appeal the decision to close the polling site that adversely affects the qualified elector's ability to cast a ballot to the State Board of Election Commissioners.

(B) An appeal made to the State Board of Election Commissioners shall:

(i) Be filed in writing within seven (7) days of the vote of the county board of election commissioners to reduce the number of polling sites available in the county;

(ii) Describe clearly the polling site that was closed;

(iii) Describe the reason the closure of the polling site in question adversely affects the election process; and

(iv) Be signed by the appellant under penalty of perjury.

(C) When a timely and sufficient appeal is filed under this subsection, the State Board of Election Commissioners shall determine if the reduction in polling sites is permissible in a timely fashion and shall issue an order resolving the appeal no less than thirty (30) days before the date of the election.

(D) An order by the State Board of Election Commissioners prohibiting a reduction in polling sites under this subsection shall be effective for the remainder of the term of the county board of election commissioners whose actions were appealed.

SECTION 6. Arkansas Code § 7-5-107 is amended to read as follows:

7-5-107. Use of voter registration lists by poll workers.

(a)(1) In any election conducted in this state, precinct voter registration lists shall be used by poll workers in each polling place.

(2)(A) An electronic poll book may be used by poll workers in each polling place.

(B) The functions of an electronic poll book may include

without limitation:

- (i) Voter lookup;
- (ii) Voter verification;
- (iii) Voter identification;
- (iv) Precinct assignment;
- (v) Ballot assignment;
- (vi) Recording when a voter presents himself or herself to an election official and requests a ballot; ~~and~~
- (vii) Redirecting voters to the correct polling site; and
- (viii) Determining if a voter has requested an absentee ballot.

(b) Precinct voter registration lists shall contain the name, address including zip code, and date of birth of each registered voter within the precinct, including those who have been designated inactive, the precinct number and county wherein the precinct is located, the name and date of the election, and a space for the voter's signature.

(c) The following shall be printed at the top of each page of the precinct voter registration list:

"IF YOU SIGN THIS FORM AND YOU ARE NOT A LAWFULLY REGISTERED VOTER OR IF YOU HAVE SUBMITTED AN ABSENTEE BALLOT FOR THIS ELECTION, YOU ARE MAKING A FALSE STATEMENT AND MAY BE COMMITTING PERJURY. PERJURY IS PUNISHABLE BY UP TO A \$10,000 FINE AND UP TO 10 YEARS IMPRISONMENT."

SECTION 7. Arkansas Code § 7-5-305(a)(11), concerning requirements to vote and duties of poll workers, is amended to read as follows:

(11)(A) Verify if a person requested an absentee ballot according to the precinct voter registration list; and

(B) Permit the person to cast a provisional ballot if the person received an absentee ballot according to the precinct voter registration list.

SECTION 8. Arkansas Code § 7-5-418(c), concerning early voting procedures, is amended to add an additional subdivision to read as follows:

(6)(A) Verify if a person requested an absentee ballot according to the precinct voter registration list; and

(B) Permit a person to cast a provisional ballot if the person received an absentee ballot according to the precinct voter registration list.

*/s/Ladyman*