

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 188

By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING POLLING PLACES; TO
AMEND THE LAW CONCERNING ELECTIONEERING; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING POLLING
PLACES; AND TO AMEND THE LAW CONCERNING
ELECTIONEERING.

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

SECTION 1. Arkansas Code Title 7, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:

7-1-115. Use of property as a polling place.

(a)(1) As used in this section, "electioneering" means the display of or audible dissemination of information that advocates for or against any candidate, issue, or measure on a ballot.

(2) "Electioneering" includes without limitation the following:

(A) Handing out, distributing, or offering to hand out or distribute campaign literature or literature regarding a candidate, issue, or measure on the ballot;

(B) Soliciting signatures on a petition;

(C) Soliciting contributions for a charitable or other purpose;

(D) Displaying a candidate's name, likeness, or logo;

(E) Displaying a ballot measure's number, title, subject, or logo;



(F) Displaying or dissemination of buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information; and

(G) Disseminating audible electioneering information.

(3) "Electioneering" does not include:

(A) The presentation of a candidate's identification by the candidate under Arkansas Constitution, Amendment 51, § 13; or

(B) The display of a ballot measure in the polling place as required under § 7-5-202;

(b) If private property is selected by the county board of election commissioners to be a polling site, the entire area of ownership of the private property shall be designated as a polling site, including without limitation all parking areas and areas adjacent to roadways.

(c) Private property used as a polling site shall not restrict electioneering on the property on election day or any day on which early voting is allowed, except:

(1) Electioneering shall not be allowed:

(A) In a building in which voting is taking place;

(B) Within one hundred feet (100') of the primary exterior entrance used by voters to a building in which voting is taking place; or

(C) With persons standing in line to vote; and

(2) A private property owner may restrict electioneering activities that create or cause permanent damage to the private property, including without limitation:

(A) The display of electioneering materials installed with a permanent material, including concrete; and

(B) The use of paint on any portion of the private property.

(d) A public building to be used as a polling site shall not restrict electioneering on the property, including all parking areas, on election day or any day on which early voting is allowed, except electioneering shall not be allowed:

(1) In a building in which voting is taking place;

(2) Within one hundred feet (100') of the primary exterior entrance used by voters to a building in which voting is taking place; or

(3) With persons standing in line to vote.