

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 583

By: Senator K. Hammer

For An Act To Be Entitled

AN ACT TO ESTABLISH THE VOTER FRAUD HOTLINE; TO ALLOW THE ATTORNEY GENERAL TO INVESTIGATE VOTER FRAUD; TO REQUIRE REPORTS OF ALLEGATIONS OF VOTER FRAUD; AND FOR OTHER PURPOSES.

Subtitle

TO ESTABLISH THE VOTER FRAUD HOTLINE; TO ALLOW THE ATTORNEY GENERAL TO INVESTIGATE VOTER FRAUD; AND TO REQUIRE REPORTS OF ALLEGATIONS OF VOTER FRAUD.

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

SECTION 1. Arkansas Code § 7-5-305(a)(8)(B)(v) and (vi), concerning requirements to vote in an election, are amended to read as follows:

(v) The county board of election commissioners shall refer suspected instances of voter fraud to the ~~prosecuting attorney~~ State Board of Election Commissioners and the Attorney General.

(vi) The State Board of Election Commissioners, Attorney General's office, and the prosecuting attorney, if assigned by the Attorney General, may investigate possible voter fraud;

SECTION 2. Arkansas Code Title 25, Chapter 16, Subchapter 7, is amended to add an additional section to read as follows:

25-16-717. Voter fraud – Hotline – Prosecution.

(a)(1) The Attorney General shall establish and publish procedures to receive complaints concerning voter fraud.



(2) The procedures shall include the operation of a toll-free hotline and may include procedures to receive written complaints through the mail, email, or fax.

(b) The Attorney General shall maintain statewide statistics on complaints received concerning voter fraud.

(c) The Attorney General annually shall report statewide statistics on complaints concerning voter fraud received under this section during a year no later than October 1 of the next year to the Legislative Council and the State Board of Election Commissioners.

(d) If the Attorney General receives a complaint that a violation of law has occurred, the Attorney General shall:

(1) Forward the complaint to the State Board of Election Commissioners for preliminary investigation; and

(2) Investigate the allegation of voter fraud if the board returns a complaint for investigation.

(e) The Attorney General may appoint a person employed as an attorney in the Attorney General's office as a special prosecutor under § 16-21-149 to:

(1) Investigate the alleged voter fraud; and

(2) Prosecute the alleged voter fraud if the special prosecutor determines charges should be filed for voter fraud.

(f)(1) The Attorney General shall designate a prosecuting attorney within the state each year to investigate a complaint of voter fraud made against the Attorney General if a complaint is made.

(2) If a complaint of voter fraud is made against the Attorney General, the board shall refer the complaint to the designated prosecuting attorney for investigation and prosecution if the prosecutor determines charges should be filed for voter fraud.

(g) If the Attorney General determines there is a conflict of interest in the appointment of a special prosecutor to investigate a complaint or prosecute a case, the matter shall be referred to the appropriate prosecuting attorney for additional investigation and prosecution, if necessary.