

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 233

By: Senator C. Tucker

For An Act To Be Entitled

AN ACT TO CLARIFY THE LENGTH OF TIME FOR WHICH AN APPLICATION FOR AN ABSENTEE BALLOT IS EFFECTIVE; AMEND THE LAW CONCERNING ABSENTEE BALLOT APPLICATIONS; TO AMEND THE LAW CONCERNING VOTING BY ABSENTEE BALLOT; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE LENGTH OF TIME FOR WHICH AN APPLICATION FOR AN ABSENTEE BALLOT IS EFFECTIVE; TO AMEND THE LAW CONCERNING ABSENTEE BALLOT APPLICATIONS; AND TO AMEND THE LAW CONCERNING VOTING BY ABSENTEE BALLOT.

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

SECTION 1. Arkansas Code § 7-5-404(b)(2), concerning applications for absentee ballots, is amended to read as follows:

~~(2)(A) For those persons voting by absentee ballot who reside outside the county in which they are registered to vote, the application shall remain in effect for one (1) year unless revoked by the voter, and the county clerk shall thereafter automatically mail no later than twenty five (25) days before each election an absentee ballot for each election;~~

(A) Unless otherwise provided by the applicant in subdivision (b)(2)(C) of this section, the application shall be valid for only one (1) election cycle;

(B) The election cycle shall include any one (1) election



and the corresponding runoff election, if any;

(C) The Secretary of State shall include an option, which the applicant may select, that the application shall remain in effect for one (1) year, unless later revoked by the voter;

(D) The Secretary of State shall include language in the application explaining that the application applies to one (1) election and the corresponding runoff election, unless the option provided under subdivision (b)(2)(C) of this section, is selected by the applicant, in which case the application will remain in effect for one (1) year; and

(E)(i) The county clerk shall automatically mail to the voter no later than twenty-five (25) days before each election an absentee ballot for the election and no later than ten (10) days before the corresponding runoff election, if any, for which the voter submitted an application for an absentee ballot, unless the voter selected the option provided under subdivision (b)(2)(C) of this section, in which case the county clerk shall automatically mail to the voter no later than twenty-five (25) days before each election an absentee ballot for each election and ten (10) days before a corresponding runoff election, if any, held during the applicable one-year period.

(ii) For a voter residing in a long-term care or residential care facility licensed by the state, the administrator of the facility may receive the absentee ballot on behalf of the voter for an election if, before the county clerk has mailed the ballot, the administrator has presented an absentee ballot request from the voter authorizing the administrator to receive the absentee ballot on behalf of the voter for that election.

~~(B)(i) For those persons voting by absentee ballot who reside within the county in which they are registered to vote, the application shall be valid for only one (1) election cycle.~~

~~(ii) The election cycle shall include any one (1) election and the corresponding runoff election.~~

~~(C)(i) For a voter residing in a long-term care or residential care facility licensed by the state the application shall remain in effect for one (1) calendar year unless withdrawn by the voter.~~

~~(ii) The county clerk automatically shall mail no later than twenty five (25) days before each election an absentee ballot for~~

~~each election unless, before mailing, the administrator of the facility has presented an absentee ballot request from the voter authorizing the administrator to receive the absentee ballot on behalf of the voter for that election.~~

~~(D)(i) For a voter with a disability as defined in § 7-5-311, the application shall remain in effect for one (1) calendar year unless withdrawn by the voter.~~

~~(ii) The county clerk automatically shall mail no later than twenty five (25) days before each election an absentee ballot for each election.~~