

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

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S4/3/23
A Bill

SENATE BILL 435

By: Senator A. Clark
By: Representatives Hawk, Bentley

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW TO ALLOW A VOTER
APPEARING IN *PERSON AT A DESIGNATED VOTE CENTER* TO
REQUEST A PAPER BALLOT; AND FOR OTHER PURPOSES.

Subtitle

*TO AMEND ARKANSAS LAW TO ALLOW A VOTER
APPEARING IN PERSON AT A DESIGNATED VOTE
CENTER TO REQUEST A PAPER BALLOT.*

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

*SECTION 1. Arkansas Code § 7-1-113 is amended to read as follows:
7-1-113. Vote centers.*

*(a)(1) The county board of election commissioners may establish one
(1) or more vote centers in the county on election day under § 7-5-101.*

*(2) A vote center shall be available to any qualified elector
registered to vote in the county who applies to the county board of election
commissioners while the polls are open on election day.*

*(3)(A) At least one (1) vote center established in the county by
the county board of election commissioners under this section shall provide a
paper ballot capable of being marked by hand to any voter who requests such a
ballot.*

*(B) The vote center in the county that is closest to the
county courthouse shall provide paper ballots capable of being marked by hand
to requesting voters under subdivision (a)(3)(A) of this section.*

(b) If a vote center is used in an election, the vote center shall



have a secure electronic connection to provide voting information to and receive voting information from a computerized registration book maintained by the county clerk.

(c) Before a person is permitted to cast a vote at a vote center, the election official shall:

(1) Request that the voter identify himself or herself by stating his or her name, date of birth, and address in order to verify his or her registration and provide identification as required by law;

(2) Request that the voter provide identification as required by law;

(3) If the voter's name or address is not the same as that in the county voter registration record files, request that the voter complete an updated voter registration application form; and

(4)(A) Request that the voter sign a voting roster or voting request form that identifies his or her name, address, date of birth, and the date on the roster or form.

(B) The voting roster or voting request form shall contain the written or printed precinct number or ballot style of the voter.

(d) If the voter is not listed in the electronic county voter registration files, the election official is unable to verify the voter's registration, and the voter contends that he or she is eligible to vote, the voter shall be directed to his or her polling site for the voter's precinct to cast a ballot.

(e) The county board of election commissioners shall furnish a vote center location that adequately allows the voter to personally and secretly execute his or her vote.

(f) The Secretary of State shall promulgate rules for the vote centers that:

(1) Designate the electronic equipment to be used to verify the registration record of a voter;

(2) Establish standards for the maintenance and use of the equipment used at a vote center;

(3) Establish standards for the testing and backup of the equipment used at a vote center;

(4) Establish standards for a secure electronic connection between a vote center and a county's computerized registration book; ~~and~~

(5) Establish procedures for the conduct of the vote center in the event that the electronic system fails; and

(6) Establish standards for ensuring that paper ballots capable of being marked by hand are available to all voters requesting a paper ballot capable of being marked by hand at a vote center under subdivision (a)(3) of this section.

SECTION 2. Arkansas Code Title 7, Chapter 5, Subchapter 6, is amended to add an additional section to read as follows:

7-5-617. Right to request paper ballot at vote center.

(a) A voter appearing to vote in person at a vote center that is required to provide paper ballots capable of being marked by hand under § 7-1-113(a)(3) is entitled to cast his or her vote on a paper ballot capable of being marked by hand, which shall be handled and counted as provided in this subchapter.

(b) The county clerk, election official, or poll worker shall provide a requesting voter with a paper ballot capable of being marked by hand at a vote center that is required to provide such paper ballots under § 7-1-113(a)(3).

(c)(1) A person who knowingly or purposely violates the provisions of this section by refusing to provide a paper ballot capable of being marked by hand to a requesting voter at a vote center that is required to provide such paper ballots under § 7-1-113(a)(3) shall be guilty of a Class C misdemeanor.

(2) It is a defense to prosecution for a poll worker under subdivision (c)(1) of this section that the county board of election commissioners or the county clerk did not provide sufficient paper ballots capable of being marked by hand for the poll worker to provide a paper ballot capable of being marked by hand to a voter upon request.

/s/A. Clark