

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/10/25

A Bill

HOUSE BILL 1422

By: Representative Long

By: Senator M. Johnson

For An Act To Be Entitled

AN ACT TO CREATE THE ONLY CITIZENS VOTE ACT; TO MODIFY THE CONTENTS OF DRIVER'S LICENSES AND IDENTIFICATION CARDS; TO AMEND THE CONTENTS OF A DRIVER'S LICENSE OR IDENTIFICATION CARD FOR CERTAIN NONCITIZENS; TO CREATE A TRAINING REQUIREMENT FOR ELECTION OFFICIALS REGARDING THE DRIVER'S LICENSES OR IDENTIFICATION CARDS OF CERTAIN NONCITIZENS; TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 51, SECTION 13; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE ONLY CITIZENS VOTE ACT; TO AMEND THE LAW CONCERNING THE DRIVER'S LICENSES AND IDENTIFICATION CARDS OF CERTAIN NONCITIZENS; AND TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 51, SECTION 13.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Only Citizens Vote Act".

SECTION 2. Under the authority permitted under Arkansas Constitution, Amendment 51, § 19, Arkansas Constitution, Amendment 51, § 13(b)(1)(C), concerning verification of voter registration, is amended to read as follows:



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(C) Documents and identification cards that comply with the requirements of subdivision (b)(1)(A) of this section include without limitation:

- (i) A driver's license, except as provided by Arkansas Code § 27-16-801(b)(2)(C);
- (ii) A photo identification card, except as provided by Arkansas Code § 27-16-805(e)(2);
- ~~(iii) A concealed handgun carry license;~~
- ~~(iv) A United States passport;~~
- ~~(v) An employee badge or identification document issued by an accredited postsecondary educational institution in the State of Arkansas;~~
- ~~(vi)~~(iv) A United States military identification document; and
- ~~(vii) A public assistance identification card if the card shows a photograph of the person to whom the document or identification card was issued; and~~
- ~~(viii)~~(v) A voter verification card under Arkansas Code § 7-5-324.

SECTION 3. Arkansas Code § 7-1-101(40)(C)(i)-(viii), concerning the documents and identification cards that meet the definition of "verification of voter registration" used in relation to elections, is amended to read as follows:

- (i) A driver's license, except as provided under § 27-16-801(b)(2)(C);
- (ii) A photo identification card, except as provided under § 27-16-805(e)(2);
- ~~(iii) A concealed handgun carry license;~~
- ~~(iv) A United States passport;~~
- ~~(v) An employee badge or identification document issued by an accredited postsecondary educational institution in the State of Arkansas;~~
- ~~(vi)~~(iv) A United States Armed Forces identification document; and
- ~~(vii) A public assistance identification card if the~~

~~card shows a photograph of the person to whom the document or identification card was issued; and~~

~~(viii)~~(v) A voter verification card under § 7-5-324;

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

(D)(i) The State Board of Election Commissioners shall promulgate rules under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., concerning the training requirements, materials, and examination of essential skills.

(ii) The training required under subdivision (e)(2)(D)(i) of this section shall include instruction on recognizing and refusing a driver's license under § 27-16-801(b)(2)(C) or an identification card under § 27-16-805(e)(2) that is not valid for voter identification purposes.

SECTION 5. Arkansas Code Title 7, Chapter 5, Subchapter 1, is amended to add an additional section to read as follows:

7-5-113. Reporting of persons holding noncitizen driver's license or identification card.

(a) The Secretary of the Department of Finance and Administration shall prepare and deliver to the Secretary of State a monthly report listing the names and identifying information of each person holding a driver's license issued under § 27-16-801(a)(1)(C) or an identification card under § 27-16-805(b)(1)(D).

(b)(1)(A) Upon receipt of the report prepared under subsection (a) of this section, the Secretary of State shall verify if any person listed in the report is listed in the voter registration record files maintained by the Secretary of State.

(B) The Secretary of State may use any database available to the office of the Secretary of State to assist in the verification of the citizenship of a person listed in the report prepared under subdivision (a) of this section.

(2) If a person listed in the report prepared under subsection

(a) of this section is found to be registered as a voter in the Secretary of State's voter registration record files:

(A) The Secretary of State shall notify the county clerk of the county in which the person is registered to vote of the identity of the person;

(B) A county clerk who receives notification under subdivision (b)(2)(A) of this section shall cancel the registration to vote of the person identified under subdivision (b)(2)(A) of this section; and

(C) The Secretary of State shall refer to the Attorney General for prosecution the person who was found to be registered as a voter in the Secretary of State's voter registration files under subdivision (b)(2) of this section.

(c)(1) The Secretary of State shall provide written notice to a person who has had his or her registration to vote canceled under subdivision (b)(2) of this section that the Secretary of State found that the person was not a citizen of the United States, that the person possessed a driver's license issued under § 27-16-801(a)(1)(C) or an identification card issued under § 27-16-805(b)(1)(D), that the person was referred to the Attorney General for prosecution, and that the person's registration to vote was canceled.

(2) The written notice provided under subdivision (c)(1) of this section shall inform the person that if he or she wishes to contest the findings of the Secretary of State under subdivision (c)(1) of this section he or she may provide evidence or documentary proof of United States citizenship to the Secretary of State.

(d) The Secretary of State shall promulgate rules to implement this section, including without limitation rules to contest a finding under subdivision (c)(2) of this section.

SECTION 6. Arkansas Code § 27-16-801(a)(1), concerning the types of licenses that may be issued by the Office of Driver Services, is amended to add an additional subdivision to read as follows:

(C) A license issued to a person who is not a citizen of the United States shall expire no later than:

(i) The expiration date of the documentary evidence of person's lawful status in the United States provided under § 27-16-1105(a)(1)(D)(ii)-(xi); or

(ii) The period provided for under § 27-16-1111.

SECTION 7. Arkansas Code § 27-16-801(b)(1), concerning the contents required to be contained on the face of a driver's license, is amended to add an additional subdivision to read as follows:

(C) A license issued under subdivision (a)(1)(C) of this section shall clearly display on its face the phrase "Limited Term" or "Limited-Term".

SECTION 8. Arkansas Code § 27-16-801(b)(2)(C), concerning the purposes for which a driver's license is valid, is amended to read as follows:

(C)(i) A license issued under subdivision (a)(1)(C) or subdivision (b)(2)(B) of this section is not valid for:

(a) Federal identification purposes; or

(b) Voter identification purposes.

(ii) The license issued under subdivision (a)(1)(C) or subdivision (b)(2)(B) of this section shall clearly display on its face the phrase "Not valid for federal identification purposes or voter identification purposes".

SECTION 9. Arkansas Code § 27-16-801(e), concerning the administrative requirements for the issuance of a driver's license, is amended to add an additional subdivision to read as follows:

(6) A license issued under subdivision (a)(1)(C) of this section shall be:

(A) Distinctive in appearance from the regular driver's license issued to a person who is twenty-one (21) years of age or older; and

(B) Printed in a vertical or portrait format.

SECTION 10. Arkansas Code § 27-16-805(b), concerning the issuance of identification cards, is amended to add an additional subdivision to read as follows:

(3) If the applicant is not a citizen of the United States and provided evidence of his or her lawful status in the United States under § 27-16-1105(a)(1)(D)(ii)-(xi), the identification card shall expire no later than:

(A) The expiration date of the documentary evidence of person's lawful status in the United States provided under § 27-16-1105(a)(1)(D)(ii)-(xi); or

(B) The period provided for under § 27-16-1112.

SECTION 11. Arkansas Code § 27-16-805(c), concerning the issuance of identification cards, is amended to read as follows:

(c)(1) Except as provided in subsection (e) of this section, each identification card shall contain:

~~(1)(A)~~ A color photograph of the applicant;

~~(2)(B)~~ A physical description of the applicant;

~~(3)(C)~~ The birthdate of the applicant;

~~(4)(D)~~ The address of the applicant;

~~(5)(E)~~ The date of issue; and

~~(6)(F)~~ The expiration date.

(2) If the applicant is not a citizen of the United States and has provided evidence of his or her lawful status in the United States under § 27-16-1105(a)(1)(D)(ii)-(xi), the identification card shall:

(A) Be distinctive in appearance from an identification card issued to a citizen of the United States;

(B) Clearly display on its face the phrase "Limited Term" or "Limited-Term"; and

(C) Be printed in a vertical or portrait format.

SECTION 12. Arkansas Code § 27-16-805(e)(2), concerning the issuance of identification cards is amended to read as follows:

(2)(A) An identification card issued under subdivision (b)(1)(C) or subdivision (e)(1) of this section is not valid for:

(i) Federal identification purposes; or

(ii) Voter identification purposes.

(B) The identification card issued under subdivision (b)(1)(C) or subdivision (e)(1) of this section shall clearly display on its face the phrase "Not valid for federal identification purposes or voter identification purposes".

SECTION 13. EFFECTIVE DATE. Sections 1-12 of this act are effective

on and after January 1, 2026.

/s/Long