

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/12/01

A Bill

Act 1257 of 2001
HOUSE BILL 2565

5 By: Representatives M. Smith, King, *J. Taylor, Hutchinson, C. Johnson, Clemons*
6 By: Senators Mahony, *Gullett*
7

For An Act To Be Entitled

10 AN ACT TO AMEND THE ABSENTEE VOTING LAW
11 CONCERNING VOTING BY MEMBERS OF THE UNIFORMED
12 SERVICES; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO AMEND THE ABSENTEE VOTING LAW
15 CONCERNING VOTING BY MEMBERS OF THE
16 UNIFORMED SERVICES.
17

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 7-5-411(a), concerning methods of voting
23 absentee, is amended to read as follows:

24 (a) Absentee voting may be accomplished in one (1) of the following
25 methods and in no other manner:

26 (1)(A) By ballot cast by mail which must be received in the
27 office of the county clerk of the county of residence of the voter not later
28 than 7:30 p.m. on election day. The qualified elector shall personally mail
29 his ballot, except that an administrator may mail the absentee ballots of a
30 long-term care or residential care facility's residents in a single mailing.
31 A qualified elector who is physically disabled may have another person mail
32 the absentee ballot in a single mailing to the county clerk. If the ballot is
33 not personally mailed by the qualified elector casting the ballot, the ballot
34 may be challenged.

35 (B)(i) However, except as provided in subdivision
36 (a)(1)(B)(ii), absentee ballots applied for not later than thirty (30) days

1 before the election by qualified electors outside the United States on
2 election day which are signed, dated, postmarked, and mailed by the voters no
3 later than the day of the election and received by the county clerk no later
4 than 5:00 p.m. ten (10) calendar days after the date of the election.

5 (ii) Absentee ballots of Uniformed Services
6 personnel, serving in active status, shall be counted if received by the
7 county clerk no later than 5:00 p.m. ten (10) calendar days after the date of
8 the election and the absentee ballot was executed no later than the date of
9 the election.

10 (C) Each absentee ballot shall be mailed separately by the
11 voter and shall not be included with any other absentee ballot in a bulk
12 mailing except that an administrative head of a nursing home or hospital may
13 mail the absentee ballots of the patients by bulk mail;

14 (2)(A) By delivery of the ballot to the county clerk of the
15 county of residence of the voter not later than 7:30 p.m. on election day by
16 a relative of the voter, the designated bearer, or the authorized agent of
17 the absentee voter who is medically unable to vote at the regular polling
18 site upon proper verification of the signature of the voter by the county
19 clerk and validation of the identity of the authorized agent.

20 (B)(i) The designated bearer, authorized agent, or
21 relative shall sign documentation upon delivery of absentee ballots to the
22 county clerk.

23 (ii) However, no person may deliver absentee ballots
24 to the clerk's office for more than five (5) persons; or

25 (3) The voter may deliver the ballot to the county clerk of the
26 county of his or her residence not later than the close of regular business
27 hours on the day before the election.

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29 /s/ M. Smith, et al.
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32 APPROVED: 4/3/2001
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