

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: S4/6/01
A Bill

Act 1767 of 2001
HOUSE BILL 1663

5 By: Representative White
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 7-5-411 REGARDING
10 METHODS OF VOTING ABSENTEE; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO AMEND ARKANSAS CODE 7-5-411 REGARDING
15 METHODS OF VOTING ABSENTEE.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 *SECTION 1. Arkansas Code 7-5-411(a), concerning methods of voting*
21 *absentee, is amended to read as follows:*

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

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

34 *(B)(i) However, except as provided in subdivision*
35 *(a)(1)(B)(ii), absentee ballots by ballot applied for not later than thirty*
36 *(30) days before the election by qualified electors outside the United States*

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

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

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

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

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

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

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

29 /s/ White

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32 APPROVED: 4/18/2001