

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 1129

"AN ACT TO AMEND ARKANSAS CODE §§ 7-5-310 AND 7-5-311 TO REQUIRE AN
ELECTION OFFICIAL TO ASSIST ALL DISABLED VOTERS."

Amendment No. 1 to House Bill No. 1129.

Amend House Bill No. 1129 as engrossed, H3/4/03:

Page 1, delete lines 9 through 11 and substitute the following:

"AN ACT TO REVISE THE PROVISIONS CONCERNING DISABLED
VOTERS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 14 through 16 and substitute the following:

"AN ACT TO REVISE THE PROVISIONS CONCERNING DISABLED
VOTERS."

AND

Page 1, line 25 after "cause," and before "such" insert "or that he or she is
unable to complete the ballot without help,"

AND

Page 1, line 26 delete "~~assisted by~~" and substitute "assisted by"

AND

Page 1, line 29, delete "Assisted by two" and substitute "Two"

AND

Page 2, delete line 1 and substitute the following:

"wishes of the voter without any comment or interpretation.

(4) It shall be the duty of the election officials at the
polling site to make and maintain a list of the names of all persons
assisting voters."

AND



Page 2, line 19 insert the following:

“SECTION 3. Arkansas Code § 7-5-523(a) concerning assistance to disabled voters, is amended to read as follows:

(a)(1) If a voter informs shall inform the election officials at the time the voter presents himself or herself to vote that the voter is unable, because the voter cannot read or write or because of physical, sensory, or other disability, or other legal cause, or that he or she is unable to complete the ballot without help, to cast his ballot by voting machine and needs the assistance of some other person in casting his ballot, that voter may be assisted by two (2) election officials, or by a person selected by the voter, who shall operate the machine so as to vote the ballot in accordance with the voter’s wishes, and shall be permitted to keep the curtain of the machine closed no longer than five (5) minutes.:

(A) Two (2) election officials; or

(B) A person named by the voter.

(2) If the voter is assisted by two (2) election officials, one (1) of the election officials shall observe the voting process and one (1) may assist the voter in operating the machine so as to vote the ballot in accordance with the wishes of the voter without comment or interpretation, and shall be permitted to keep the curtain closed no longer than five (5) minutes.

(3) If the voter is assisted by one (1) person named by the voter, he or she may assist the voter in operating the machine so as to vote the ballot in accordance with the wishes of the voter without comment or interpretation, and shall be permitted to keep the curtain closed no longer than five (5) minutes.

(4) The laws of this state with respect to assisting persons with disabilities in the casting of votes upon printed ballots shall govern, insofar as is practicable, the assistance of a voter in casting his ballot by voting machine.

(5) It shall be the duty of the election officials at the polling site to make and maintain a list of the names of all persons assisting voters.

SECTION 4. Arkansas Code § 7-5-305(a), concerning the procedures for identifying qualified voters, is amended to read as follows:

7-5-305. Requirements.

(a) Before a person is permitted to vote, the election official shall:

(1) Request the voter to identify himself in order to verify the existence of his name on the precinct voter registration list;

(2) Request the voter, in the presence of the election official, to state his address and state or confirm his date of birth;

(3) Determine that the voter’s date of birth and address are the same as those on the precinct voter registration list;

(4) If the date of birth given by the voter is not the same as that on the precinct voter registration list, request the voter to provide identification as the election official deems appropriate;

(5)(A) If the voter’s address is not the same as that on the precinct voter registration list, verify with the county clerk that the address is within the precinct.

(B) If the address is within the precinct, request the voter to

complete a voter registration application form for the purpose of updating county voter registration record files.

(C) If the address is not within the precinct, instruct the voter to contact the county clerk's office to determine the proper precinct;

(6) If the voter's name is not the same as that on the precinct voter registration list, request the voter to complete a voter registration application form for purposes of updating county voter registration record files;

(7) Request the voter, in the presence of the election official, to sign his name, including his given name, his middle name or initial, if any, and his last name in the space provided on the precinct voter registration list. If a person is unable to sign his signature or make his mark or cross, the election official shall enter his initials and the voter's date of birth in the space for the person's signature on the precinct voter registration list; ~~and~~

(8)(A) Request the voter for purposes of identification to provide a valid driver's license, photo identification card issued by a governmental agency, voter card, social security card, birth certificate, United States passport, employee identification card issued by a governmental agency containing a photograph, employee identification card issued in the normal course of business of the employer, student identification card, Arkansas hunting license, or United States military identification card.

(B)(i) If a voter is unable to provide this identification, the election official shall indicate on the precinct voter registration list that the voter did not provide identification.

(ii) Following each election, the county board of election commissioners may review the precinct voter registration lists and may provide the information of the voters not providing identification at the polls to the prosecuting attorney.

(iii) The prosecuting attorney may investigate possible voter fraud; ~~and~~

(9) Follow the procedures under §§ 7-5-310, 7-5-311, and 7-5-523, if the person is a disabled voter and presents himself or herself to vote."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Wilkins
MTB/JGR - 032720030945
JGR631

Secretary