

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 1305

"AN ACT TO MODIFY THE NUMBER OF BALLOTS A DESIGNATED BEARER MAY
PICK UP FOR ANOTHER VOTER AND THE NUMBER OF BALLOTS A DESIGNATED
BEARER MAY DELIVER TO THE COUNTY CLERK."

Amendment No. 1 to House Bill No. 1305.

Amend House Bill No. 1305 as originally introduced:

Page 1, delete line 25-27 and substitute the following:

“SECTION 1. Arkansas Code § 7-5-405(a), concerning applications for absentee ballots, is amended to read as follows:

(a) Applications for absentee ballots may be made on a form furnished by the county clerk, and the county clerk shall supply a form substantially similar to the following form or an electronic facsimile of a substantially similar form via telephonic transmission on request at least sixty (60) days before the election:

“IF YOU PROVIDE FALSE INFORMATION ON THIS FORM, YOU MAY BE GUILTY OF PERJURY AND SUBJECT TO A FINE OF UP TO \$10,000 OR IMPRISONMENT FOR UP TO 10 YEARS.

..... Date

To: County Clerk

..... County

....., Arkansas

(1) I am a qualified elector of precinct in
..... (City, Town), County, Arkansas. Because I:

[check one]

- Will be unavoidably absent from my polling site on election day, or
- Will be unable to attend the polls on election day because of illness or physical disability,

I am requesting that you provide me with the appropriate absentee ballot(s) for the following elections: (check only one (1) political party):

- Nonpartisan Judicial General Election
- Preferential Primary
- Democratic/ Nonpartisan Judicial General Election
- Republican/ Nonpartisan Judicial General Election
- General Primary (Runoff) Democratic Republican
- Annual School Election
- General Election



General Runoff
 Special School Runoff
 All elections for calendar year [designate party] (I understand that if I select all elections for the calendar year that the absentee ballots will be delivered to me only by mail.)

The application shall remain in effect for the current calendar year unless revoked by voter.

(2) I will receive my ballot(s): [check one]

By coming to the office of the county clerk by the time the county clerk's office regularly closes on the day before the election.

By mail. I request that you mail my ballot(s) to the following address:
.....
.....

By bearer (insert name of ~~relative, agent, or~~ designated bearer, administrator, or authorized agent)

The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be subject to a fine of up to ten thousand dollars (\$10,000) or imprisonment for up to ten (10) years, or both, under federal or state laws.
.....

.....
Printed or typed name of voter Signature of voter
.....

.....
Residence address of voter Date of birth
.....

.....
City or Town, Zip code Signature of Designated Bearer, ~~Relative~~
Administrator, or Authorized Agent."

SECTION 2. Arkansas Code § 7-5-409(a)-(c), concerning materials furnished to qualified voters, is amended to read as follows:

(a)(1) The county clerk must satisfy himself that the applicant for an absentee ballot is a qualified registered elector in the ward, precinct, or township in which he claims to be a resident or that the applicant is exempted from registration under § 7-5-406.

(A) The county clerk shall verify that the application has been properly signed by the applicant and if necessary the designated bearer, ~~relative~~ administrator, or authorized agent. If the application is not properly signed, the application shall be rejected by the county clerk.

(B) The county clerk shall notify the applicant of the reason for the rejection.

(2) If the county clerk is unable to contact the applicant to cure the deficiency, the county clerk shall forward the application with the reason for the rejection to the county board of election commissioners. The board shall determine whether the applicant is a qualified elector.

(b) If the applicant is registered or is otherwise eligible to vote absentee, the county clerk shall deliver or mail to the applicant or deliver pursuant to subsections (d) - (f) of this section to the person who delivers the application to the office of the county clerk pursuant to § 7-5-403 the following materials:

(1) An official ballot for each election named in the application;

(2) Instructions for voting and returning the ballot to the county clerk;

(3) A sealable envelope on which there shall be written or printed the words: "Ballot Only";

(4) A sealable envelope upon which shall be printed or written the words: "Return Envelope", the address of the county clerk, the precinct of the voter, and the words: "ABSENTEE BALLOT, , , ELECTION";

(5) A blank voter statement in the following form:

"I reside at the address indicated on my application. I have enclosed my ballot stub in the Return Envelope. I have enclosed my marked ballot in the Ballot Only envelope, which I will place in the Return Envelope. I will not vote again in this election.

THE INFORMATION I HAVE PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE UNDER PENALTY OF PERJURY. IF I HAVE PROVIDED FALSE INFORMATION, I MAY BE SUBJECT TO A FINE OF UP TO TEN THOUSAND DOLLARS (\$10,000) OR IMPRISONMENT FOR UP TO TEN (10) YEARS, OR BOTH, UNDER FEDERAL OR STATE LAWS.

.....
signature of voter

.....
printed name of voter

.....
address of voter

.....
date of birth of voter

.....
signature of designated bearer, ~~relative~~ administrator, or authorized agent

.....
address of designated bearer, ~~relative~~ administrator or authorized agent.";
and

(6) An authorized agent authorization form, which may be printed on the back of the voter statement, as follows:

"AGENT AUTHORIZATION FORM

If applicable, fill out and sign this form and place it in the Return Envelope

I hereby authorize (insert his or her name) as my authorized agent, to deliver this ballot as I am medically unable to vote on election day. An affidavit verifying my medical status as unable to deliver the application or to vote on the day of the election is attached or has been provided with my application.

.....
Signature of voter

.....
printed name of voter

.....
date of birth of voter"

(c)(1) Except for absentee ballots mailed to an address outside the"

AND

Renumber subsequent sections accordingly

AND

Page 2, line 2 delete “five (5)” and substitute “~~five (5)~~ two (2)”

AND

Page 2, line 15 delete “five (5)” and substitute “~~five (5)~~ two (2)”

AND

Page 2, delete line 33 and substitute the following:
“~~a relative of the voter~~, the designated bearer, administrator, or the authorized agent of”

AND

Page 3, delete line 1 and substitute the following:
“(B)(i) The designated bearer, administrator, or authorized agent, ~~or~~”

AND

Page 3, line 2 delete “relative” and substitute “~~relative~~”

The Amendment was read _____
By: Representative King
MTB/JGR - 020720031622
JGR319

Chief Clerk