

*As Engrossed: 3/4/91*

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**

# **A Bill**

**HOUSE BILL 1138**

4 **By: Representatives Flanagin and Jones**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND SECTION 7 OF AMENDMENT 51 TO THE ARKANSAS  
9 CONSTITUTION, AS AMENDED, TO ALLOW THE PERMANENT REGISTRAR  
10 TO CHANGE A VOTER'S ADDRESS IF THE ADDRESS HAS BEEN  
11 RENAMED, RENUMBERED OR ANNEXED; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. Section 7 of Amendment 51 to the Arkansas Constitution, as  
16 amended, is amended to read as follows:

17 "§ 7. Registration record files.

18 (a) In each county, the Permanent Registrar shall provide three active  
19 Registration Record Files for all voters legally resident within that county:

20 (1) the Permanent Registration File which shall contain, securely  
21 fastened, all original copies of the Affidavits of Registration in  
22 alphabetical order for the whole county without regard to precincts or other  
23 districts;

24 (2) a Precinct Registration File which shall contain, securely  
25 fastened in binders suitable for locking, all duplicate copies of the  
26 Affidavits of Registration or Supplement Record of Voting Form, arranged and  
27 bound by precinct; and

28 (3) a Precinct Registration File which shall contain, securely  
29 fastened in binders suitable for locking, all triplicate copies of the  
30 Affidavits of Registration or Supplement Record of Voting Form, arranged and  
31 bound by precinct.

32 The Permanent Registrar of each county may have made and executed an  
33 additional copy of each Affidavit of Registration which shall be kept in  
34 suitable binders and shall be used in the holding of school elections. In the  
35 event any Permanent Registrar elects to keep and maintain such additional file

1 such Registrar is hereby authorized to photocopy all of the active Affidavits  
2 of Registration heretofore executed and enter such copies in such additional  
3 file to be used in school elections. Such additional Precinct File shall be  
4 kept and purged in the same manner now provided by law for other registration  
5 files.

6 (b) The Affidavits of Registration or Supplement Record of Voting Form  
7 within the Precinct Registration Files shall be arranged in alphabetical  
8 order; provided, that the Affidavits of Registration or Supplement Record of  
9 Voting Form in all or in some of such Files may be arranged by street and  
10 street number or on some other appropriate basis, and shall be so arranged at  
11 the direction of the County Board of Registration.

12 (c) In each county, permanent registrars shall provide an inactive  
13 registration file which shall contain all canceled original affidavits of  
14 registration arranged in alphabetical order for the whole county without  
15 regard to precinct or other districts. Each canceled affidavit of  
16 registration will be maintained for a period of two (2) years, at which time,  
17 and in accordance with instructions of the Auditor of State, it shall be  
18 returned by the Permanent Registrar to the State Auditor. The State Auditor  
19 will compile a record of the number of canceled affidavits of registration,  
20 send a copy of each record to the Permanent Registrar and then destroy the  
21 canceled affidavits of registration.

(d) The appropriate Precinct  
22 Registration File or Files containing the duplicate copies of Affidavits of  
23 Registration or Supplement Record of Voting Form shall be delivered to the  
24 polling places and used in all elections; provided, that the appropriate  
25 Precinct Registration File or Files containing the duplicate copies of the  
26 Affidavits of Registration or Supplement Record of Voting Form shall be  
27 delivered to the polling places of the majority political party for use at  
28 party primary elections of such party and the appropriate Precinct  
29 Registration File or Files containing the triplicate copies of the Affidavits  
30 of Registration or Supplement Record of Voting Form shall be delivered to the  
31 polling places of the minority political party for use at party primary  
32 elections of such party. Before being delivered to the appropriate County  
33 Board of Registration or other lawfully designated election officials for use  
34 at any election, the Affidavits of Registration or Supplement Record of Voting  
35 Form in the Precinct Registration Files shall be securely fastened and locked.

1           (e) The County Board of Registration or other lawfully designated  
2 election officials shall cause the appropriate Precinct Registration Files to  
3 be at the polling places on the date of elections, and shall return them at  
4 the close of the election to the office of the Permanent Registrar with the  
5 ballot boxes.

6           (f) *If the legal residence of a voter is renamed, renumbered or annexed*  
7 *the Permanent Registrar may change the name or number of the legal residence*  
8 *on the voter's Affidavit of Registration and any other voting records. Within*  
9 *fifteen (15) days after the records are changed to reflect the new name or*  
10 *number of the residence, the Permanent Registrar shall notify the voter by*  
11 *mail that the change has been made."*

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13           SECTION 2. All provisions of this act of a general and permanent nature  
14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
15 Revision Commission shall incorporate the same in the Code.

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17           SECTION 3. If any provision of this act or the application thereof to  
18 any person or circumstance is held invalid, such invalidity shall not affect  
19 other provisions or applications of the act which can be given effect without  
20 the invalid provision or application, and to this end the provisions of this  
21 act are declared to be severable.

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23           SECTION 4. All laws or parts of laws in conflict with this act are  
24 hereby repealed.

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*/s/ Pat Flanagan et al*

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