

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Flanagin**

A Bill

HOUSE BILL 1057

For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT VOTER REGISTRATION LISTS MAY BE
9 USED IN LIEU OF BINDERS AT VOTING PRECINCTS; AND FOR OTHER
10 PURPOSES."

Subtitle

13 "TO PROVIDE THAT VOTER REGISTRATION LISTS MAY BE USED IN
14 LIEU OF BINDERS AT VOTING PRECINCTS."

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

18 SECTION 1. In any election conducted in this state, voter registration
19 lists may be used by election officials in each precinct *instead of binders*.
20 *Voter registration lists must contain the name, address including zip code,*
21 *precinct number, date of birth, affidavit of voter registration number, and*
22 *printed image of the signature of each registered voter within the precinct,*
23 *the precinct number and county wherein the precinct is located, the name and*
24 *date of the election, and a space for the voter's signature.*

26 SECTION 2. Arkansas Code 7-5-305 is amended to read as follows:

27 "§ 7-5-305. Identification of qualified voters.

28 (a) Before a person is permitted to vote, the election judge shall, if
29 binders are used at the precinct:

30 (1) Request the voter to identify himself so that his affidavit
31 of registration can be found in the precinct binder. After finding the
32 affidavit of registration, the judge then stamps the date in the first unused
33 space on the record of voting form in the precinct binder;

34 (2) Request the voter, in the presence of the judge, to sign his
35 name, including his given name, his middle name or initial, if any, and his

1 last name in the first unused space on the record of voting form in the
2 binder;

3 (3) Determine that the voter's signature on the affidavit of
4 registration is identical to the signature on the record of voting form.

5 (b) Before a person is permitted to vote, the election judge shall, if
6 voter registration lists are used at the precinct, :

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

9 (2) Request the voter, in the presence of the judge, to sign his
10 name, including his given name, his middle name or initial, if any, and his
11 last name in the space provided therefor on the voter registration list.

12 (3) Determine that his signature is the same as the image of his
13 signature on the voter registration list.

14 (c) A person unable to sign his signature or to make his mark or cross
15 on the record of voting form shall state the month and day of his birth. The
16 judge shall find that the person's date of birth, as stated by him, conforms
17 to that entered in the space for the person's signature on the affidavit of
18 registration by the permanent or deputy registrar."
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20 SECTION 3. Arkansas Code 7-7-308 is amended to read as follows:

21 "§ 7-7-308. Determination of right to vote - Precinct registration
22 lists.

23 (a) Before a person is permitted to vote, an election judge shall, if
24 binders are used at the precinct:

25 (1) Request the voter to identify himself so that his affidavit
26 of registration can be found in the precinct binder and further request in
27 which party primary the voter intends to vote. After finding the affidavit of
28 registration, the judge then stamps the date and designation of the party
29 primary in which the voter intends to vote in the first unused space on the
30 record of voting form in the precinct binder;

31 (2) Request the voter, in the presence of the judge, to sign his
32 name, including his given name, his middle name or initial, if any, and his
33 last name in the first unused space on the record of voting form in the
34 binder. A person unable to sign his signature or make his mark or cross on the
35 record of voting form shall state the month and day of his birth. The judge

1 shall find that the person's date of birth, as stated by him, conforms to that
2 entered in the space for the person's signature on the affidavit of
3 registration by the permanent or deputy registrar;

4 (3) Determine the voter's signature on the affidavit of
5 registration to be identical to the signature on the record of voting form.

6 (b) Before a person is permitted to vote, the election judge shall, if
7 voter registration lists are used at the precinct:

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

10 (2) Request the voter, in the presence of the judge, to sign his
11 name, including his given name, his middle name or initial, if any, and his
12 last name in the space provided for his signature on the voter registration
13 list. A person unable to sign his signature or make his mark or cross on the
14 voter registration list shall state the month and day of his birth. The judge
15 shall find that the person's date of birth, as stated by him, conforms to that
16 entered on the voter registration list;

17 (3) Determine that the voter's signature is the same as the image
18 of his signature on the voter registration list.

19 (c) (1) At the same time the voter identifies himself and the party
20 primary in which he intends to vote, the election clerk of the party primary
21 which the voter designates shall mark the voter's name on the precinct
22 registration list furnished by the county clerk as having voted. If a voter's
23 name does not appear on the precinct registration list, but the voter is
24 eligible to vote, the clerk shall add the voter's name to the list by writing
25 his full name and address.

26 (2) After the polls close, the election clerk shall total the
27 number of voters on the list.

28 (3) The precinct registration lists shall at all times be
29 available to public inspection and, after the polls are closed, shall be
30 returned to the appropriate county committees."

31 SECTION 4. Arkansas Code §7-7-310(a) is hereby amended to read as
32 follows:

33 "(a) The county committee, immediately upon having canvassed the
34 returns and, where demanded, examined the ballots and upon having certified
35 the results of the primary as required in this subchapter, shall file, in the

1 office of the county clerk of the county and, where there is more than one (1)
2 district, in the district of the county where the meetings of the county
3 committee are held, all the returns, all precinct registration *binders and*
4 lists and all ballots, affidavits, and other documents received from the
5 judges of election, and it shall be obligatory upon the committee, its
6 chairman, and secretary."

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8 SECTION 5. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 6. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 7. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 /s/Rep. Flanagan
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