

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H1/30/03
A Bill

HOUSE BILL 1129

5 By: Representative King
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8 **For An Act To Be Entitled**

9 AN ACT TO AMEND ARKANSAS CODE §§ 7-5-310 AND 7-5-
10 311 TO REQUIRE AN ELECTION OFFICIAL TO ASSIST ALL
11 DISABLED VOTERS; AND FOR OTHER PURPOSES.
12

13 **Subtitle**

14 AN ACT TO AMEND ARKANSAS CODE §§ 7-5-310
15 AND 7-5-311 TO REQUIRE AN ELECTION
16 OFFICIAL TO ASSIST ALL DISABLED VOTERS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 7-5-310(b) is amended to read as follows:

22 (b)(1) If a voter informs the election officials that he or she is
23 unable to mark ~~his~~ the ballot because he or she cannot read or write or
24 because of physical, sensory, or other disability or other legal cause, such
25 person may be ~~assisted by two (2) election officials or by any person~~
26 ~~selected by the voter, who shall mark the ballot so as to vote the ballot in~~
27 ~~accordance with the voter's wishes. :~~

28 (A) Assisted by two (2) election officials; or

29 (B) Assisted by one (1) election official and one (1)
30 person selected by the voter.

31 (2) If the voter is assisted by two (2) election officials, one
32 (1) of the election officials shall observe the voting process and one (1)
33 may assist the voter in marking the ballot according to the wishes of the
34 voter.

35 (3) If the voter is assisted by one (1) election official and
36 one (1) person selected by the voter, the election official shall observe the



1 voting process and the person selected by the voter may assist the voter in
2 marking the ballot according to the wishes of the voter.

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4 SECTION 2. Arkansas Code § 7-5-311(c) is amended to read as follows:

5 (c)(1) All rules, regulations, and procedures authorized by the state
6 board to enable disabled persons to vote shall be designed to permit the
7 voter to personally and secretly execute his or her ballot without the
8 *assistance of a ~~third party~~ another person unless ~~third party~~ assistance is*
9 *requested by the disabled voter.*

10 (2) When any qualified elector notifies an election official at
11 the voting precinct that he or she is unable to read the ballot, the election
12 official shall cause the entire ballot to be read to the voter, unless the
13 voter instructs otherwise. The election official shall then assist the voter
14 without comment or interpretation in marking the ballot. An additional
15 election official shall observe the reading of the ballot to the voter and
16 the marking of the ballot.

17 (3) If the voter designates a person to assist, the election
18 official shall allow that person to assist the voter, and the person
19 designated shall read the entire ballot to the voter, unless the voter
20 instructs otherwise, and then assist the voter without comment or
21 interpretation in marking the ballot. An election official shall observe the
22 reading of the ballot to the voter and the marking of the ballot.

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24 /s/ King
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