

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

A Bill

HOUSE BILL 2346

5 By: Representative King
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ABSENTEE VOTING PROCESS; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12 AN ACT TO AMEND THE ABSENTEE VOTING
13 PROCESS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 7-5-411 is amended to read as follows:
20 7-5-411. Methods of voting absentee.

21 (a) Absentee voting may be accomplished in one (1) of the following
22 methods and in no other manner:

23 (1)(A)(i) By ballot cast by mail which must be received in the
24 office of the county clerk of the county of residence of the voter not later
25 than 7:30 p.m. on election day.

26 (ii) The qualified elector shall personally mail his
27 or her ballot, except that an administrator may mail the absentee ballots of
28 a long-term care or residential care facility's residents in a single
29 mailing.

30 (iv) A qualified elector who is physically disabled
31 may have another person mail the absentee ballot in a single mailing to the
32 county clerk.

33 (v) If the ballot is not personally mailed by the
34 qualified elector casting the ballot or otherwise mailed ~~pursuant~~ according
35 to this section, the ballot shall not be counted.

36 (B)(i) However, except as provided in subdivision



1 (a)(1)(B)(ii) of this section, by ballot applied for not later than thirty
 2 (30) days before the election by qualified electors outside the United States
 3 on election day which are signed, dated, postmarked, and mailed by the voters
 4 no later than the day of the election and received by the county clerk no
 5 later than 5:00 p.m. ten (10) calendar days after the date of the election.

6 (ii) Absentee ballots of uniformed services
 7 personnel serving in active status shall be counted if received by the county
 8 clerk no later than 5:00 p.m. ten (10) calendar days after the date of the
 9 election and if the absentee ballot was executed no later than the date of
 10 the election.

11 (C)(i) Each absentee ballot shall be mailed separately by
 12 the voter and shall not be included with any other absentee ballot in a bulk
 13 mailing, except that an administrative head of a nursing home or hospital may
 14 mail the absentee ballots of the patients by bulk mail.

15 (ii) Absentee ballots in any bulk mailing not
 16 otherwise permitted in this subsection shall not be counted;

17 (2)(A) By delivery of the ballot to the county clerk of the
 18 county of residence of the voter not later than 7:30 p.m. on election day by
 19 a relative of the voter, the designated bearer, or the authorized agent of
 20 the absentee voter who is medically unable to vote at the regular polling
 21 site upon proper verification of the signature of the voter by the county
 22 clerk and validation of the identity of the authorized agent.

23 (B)(i) The designated bearer, authorized agent, or
 24 relative shall sign documentation upon delivery of absentee ballots to the
 25 county clerk.

26 (ii) However, no person may deliver absentee ballots
 27 to the clerk's office for more than five (5) persons; or

28 (3) The voter may deliver the ballot to the county clerk of the
 29 county of his or her residence not later than the close of regular business
 30 hours on the day before the election.

31 (b) Any person who knowingly makes a false statement on an affidavit
 32 required by this section shall be guilty of perjury and subject to a fine of
 33 up to ten thousand dollars (\$10,000) or imprisonment for up to ten (10)
 34 years.

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