

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 300

5 By: Senator B. King  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE A VOTER INTEGRITY UNIT ADMINISTERED  
9 BY THE SECRETARY OF STATE; TO PROVIDE FOR  
10 COMPREHENSIVE INVESTIGATIONS OF ELECTION MISCONDUCT;  
11 TO PERMIT THE REVIEW ELECTION PROCEDURE; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

15 AN ACT TO CREATE A VOTER INTEGRITY UNIT  
16 ADMINISTERED BY THE SECRETARY OF STATE;  
17 TO PROVIDE FOR COMPREHENSIVE  
18 INVESTIGATIONS OF ELECTION MISCONDUCT;  
19 AND TO PERMIT THE REVIEW ELECTION  
20 PROCEDURE.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code Title 7, Chapter 1, is amended to add an  
27 additional section to read as follows:

28 7-1-115. Voter Integrity Unit – Creation.

29 (a) There is created a Voter Integrity Unit.

30 (b) The Voter Integrity Unit shall be composed of four (4) members of  
31 the staff of the Secretary of State who are designated by the Secretary of  
32 State, including:

33 (1) The Director of the Elections Division of the Secretary of  
34 State, or a designee selected by the Secretary of State, to serve as Chair of  
35 the Voter Integrity Unit;

36 (2) The General Counsel of the Secretary of State;



1           (3) One (1) employee of the Elections Division of the Secretary  
2 of State; and

3           (4) One (1) officer of the State Capitol Police.

4           (c) The Voter Integrity Unit shall investigate any complaint of  
5 election irregularity or alleged violation of election law that has been  
6 filed with the State Board of Election Commissioners.

7           (d) The Voter Integrity Unit shall:

8                   (1)(A) Conduct an investigation of each complaint of election  
9 irregularity or alleged violation of election law.

10                   (B) In the course of an investigation, the Voter Integrity  
11 Unit may:

12                           (i) Conduct a hearing;

13                           (ii) Use the power of subpoena to compel the:

14                                   (a) Attendance and testimony of a witness; and

15                                   (b) Production of evidence, including without  
16 limitation books, records, or other documents; and

17                                   (iii) Administer an oath for the purpose of taking  
18 sworn testimony; and

19                   (2) Render a report on the result of the investigation to the  
20 Secretary of State.

21           (e) Within thirty (30) calendar days of receiving the report, the  
22 Secretary of State shall present the results of the report to a meeting of  
23 the board.

24           (f) The board shall receive the report and within thirty (30) calendar  
25 days from receipt of the report determine an official response from the  
26 board, including without limitation:

27                   (1) Dismissal of the complaint of election irregularity or  
28 violation of election law;

29                   (2) Issuance of a letter of caution to individuals or entities  
30 responsible for election irregularity; or

31                   (3) Referral of the instance of alleged election law violation  
32 to:

33                           (A) The prosecuting attorney for the jurisdiction in which  
34 the alleged election law violation occurred; or

35                           (B) The United States Attorney for the jurisdiction in  
36 which the alleged election law violation occurred.

1           (g) Within sixty (60) calendar days of determining the official  
2 response of the board to the instance of election irregularity or alleged  
3 violation of election law, the board shall submit to the House Committee on  
4 State Agencies and Governmental Affairs and the Senate Committee on State  
5 Agencies and Governmental Affairs a report that includes without limitation  
6 the:

7                   (1) Name of the complainant or entity filing the complaint of  
8 election irregularity or alleged election law violation;

9                   (2) Date the incident is alleged to have occurred;

10                  (3) Date of the complaint;

11                  (4) Location in which it is alleged that the incident occurred;

12                  (5) Detailed explanation of the complaint of election  
13 irregularity or alleged election law violation;

14                  (6) Report of the Voter Integrity Unit to the Secretary of  
15 State; and

16                  (7) Resolution report of the board, including:

17                           (A) Minutes of the meeting of the board on the report of  
18 the Voter Integrity Unit;

19                           (B) Determination of the board regarding disposition of  
20 the complaint of election irregularity or alleged election law violation; and

21                           (C) Copies of any referrals to prosecutors or United  
22 States Attorneys.