

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/24/11

A Bill

HOUSE BILL 1928

5 By: Representative T. Baker
6 By: Senator Burnett
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE RECEIPT OF ABSENTEE BALLOTS BY
10 DESIGNATED BEARERS; AND FOR OTHER PURPOSES.
11

Subtitle

14 CONCERNING THE RECEIPT OF ABSENTEE
15 BALLOTS BY DESIGNATED BEARERS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 7-5-403(a), concerning designated bearers,
21 is amended to read as follows:

22 (a)(1) A designated bearer may obtain absentee ballots from the county
23 clerk for not more than two (2) voters.

24 (2)(A) At no time shall a designated bearer have more than two
25 (2) absentee ballots in his or her possession.

26 (B) If the county clerk knows or reasonably suspects that
27 a designated bearer has more than two (2) absentee ballots in his or her
28 possession, the county clerk shall notify the prosecuting attorney.

29 (3)(A) A designated bearer receiving an absentee ballot from the
30 county clerk for a voter shall deliver the absentee ballot directly to the
31 voter.

32 (B) A designated bearer receiving an absentee ballot from
33 a voter shall deliver the absentee ballot directly to the county clerk.

34 (4)(A) A designated bearer may deliver to the county clerk the
35 absentee ballots for not more than two (2) voters.

36 (B) The designated bearer shall be named on the voter



1 statement accompanying the absentee ballot.

2 (5) In order to obtain an absentee ballot from the county clerk:

3 (A) The designated bearer shall show a form of current
4 photographic identification to the county clerk;

5 (B) The county clerk shall print the designated bearer's
6 name and address beside the voter's name on a register; ~~and~~

7 (C) The designated bearer shall sign the register under
8 oath indicating receipt of the voter's absentee ballot; and

9 (D) The county clerk shall indicate beside the designated
10 bearer's name on the register that he or she obtained an absentee ballot for
11 a voter.

12 (6) Upon delivering an absentee ballot to the county clerk:

13 (A) The designated bearer shall present current and valid
14 photographic identification to the county clerk;

15 (B) *The county clerk shall print the designated bearer's*
16 *name and address beside the voter's name on a register; ~~and~~*

17 (C) *The designated bearer shall sign the register under*
18 *oath indicating delivery of the voter's absentee ballot; and*

19 (D) The county clerk shall not accept an absentee ballot
20 from a designated bearer who does not sign the register under oath.

21 (7) When providing an absentee ballot to a designated bearer or
22 receiving an absentee ballot from a designated bearer, the county clerk shall
23 provide to the designated bearer a written notice informing the designated
24 bearer that:

25 (A) A designated bearer may obtain ballots for no more
26 than two (2) voters;

27 (B) A designated bearer shall at no time have more than
28 two (2) ballots in his or her possession;

29 (C) A designated bearer may deliver ballots to the county
30 clerk for no more than two (2) voters; and

31 (D) Possession of an absentee ballot with the intent to
32 defraud a voter or an election official is a felony under § 7-1-104.

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34 /s/T. Baker

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36 APPROVED: 04/01/2011