

1 State of Arkansas As Engrossed: H2/20/13 S3/11/13

2 89th General Assembly

# A Bill

3 Regular Session, 2013

HOUSE BILL 1283

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5 By: Representatives House, D. Altes, J. Burris, Davis, Gillam, Gossage, Kerr, Lea, Leding, Nickels,

6 Sabin, Slinkard, Wardlaw

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## For An Act To Be Entitled

9 AN ACT TO PROTECT A LAST VOTE; TO ALLOW A VOTE CAST  
10 BY ABSENTEE BALLOT BEFORE THE DEATH OF A VOTER TO BE  
11 COUNTED; TO REPEAL A PORTION OF THE ABSENTEE BALLOT  
12 LAW; AND FOR OTHER PURPOSES.

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## Subtitle

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

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24 SECTION 1. Arkansas Code § 7-5-416(c), concerning the death of a voter  
25 after the absentee ballot is cast but before it is counted, is repealed.

26 (c) *If any person casting an absentee ballot dies before the polls*  
27 *open on election day, his or her vote shall ~~not be counted~~, be accepted by*  
28 *the county clerk if the absentee ballot is:*

29 *(1) Signed, dated, postmarked, and mailed before the date of*  
30 *death;*

31 *(2) Signed, dated, and delivered to the county clerk by a*  
32 *designated bearer, authorized agent, or administrator before the date of*  
33 *death; or*

34 *(3) The ballot of a member of the armed services in active duty*  
35 *is executed before the date of death.*

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*/s/House*

**APPROVED: 03/21/2013**

