

1 State of Arkansas As Engrossed: H4/1/21 S4/22/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

HOUSE BILL 1615

4

5 By: Representative Ladyman

6 By: Senator K. Hammer

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## For An Act To Be Entitled

9 AN ACT TO AMEND ELECTION PROCEDURES; TO AMEND THE  
10 REQUIREMENTS FOR ELECTION OFFICIALS; TO AMEND THE  
11 LOCATION OF POLLING PLACES; TO AMEND THE LAW  
12 CONCERNING THE INFORMATION CONTAINED IN THE VOTER  
13 REGISTRATION LIST; AND FOR OTHER PURPOSES.

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## Subtitle

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

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*SECTION 1. Arkansas Code § 7-4-101(f), concerning the members, officers, meetings, and duties of the State Board of Election Commissioners, is amended to add additional subdivisions to read as follows:*

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*(15) Consider an appeal filed to challenge a reduction in the number of polling sites in a county by a county board of election commissioners under § 7-5-101; and*

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*(16) Formulate, adopt, and promulgate rules for governing the appeal of a county board of election commissioners' reduction in the number of polling sites in a county under § 7-5-101.*

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1           SECTION 2. Arkansas Code § 7-4-109(a), concerning qualifications of  
2 state and county commissioners, election officials, poll workers, and  
3 certified election monitors, is amended to add an additional subdivision to  
4 read as follows:

5                   (4) A person shall be eligible to serve as an election official  
6 if the person is married to or related within the second degree of  
7 consanguinity to a candidate running for office in the election who is  
8 unopposed and the person is appointed to serve as an election official at a  
9 polling place or vote center designated to serve a geographic area with a  
10 population of less than one thousand (1,000) qualified electors.

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12           SECTION 3. Arkansas Code § 7-5-101(a), concerning the establishment  
13 and alteration of precinct boundaries, polling sites, and vote centers, is  
14 amended to read as follows:

15           (a)(1) The county board of election commissioners shall:

16                   (A) Establish election precincts; and

17                   (B)(i) Designate a polling site for each precinct.

18                               (ii) A polling site may serve two (2) or more  
19 precincts, including parts of precincts.

20           (2) Except as provided in § 6-14-106, the designation of polling  
21 sites shall be by a unanimous vote of the members of the county board of  
22 election commissioners present.

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24           SECTION 4. Arkansas Code § 7-5-101(d)(2), concerning the establishment  
25 and alteration of precinct boundaries, polling sites, and vote centers, is  
26 amended to read as follows:

27           (2)(A) The county board of election commissioners shall not change a  
28 polling site for any precinct less than ~~thirty (30)~~ sixty (60) days before ~~an~~  
29 a preferential primary election or general election, except in the event of  
30 an emergency.

31                   (B) The county board of election commissioners shall not  
32 change a polling site for any precinct less than thirty (30) days before an  
33 election other than a preferential primary or general election, except in the  
34 event of an emergency.

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36           SECTION 5. Arkansas Code § 7-5-101(d), concerning the establishment

1 and alteration of precinct boundaries, polling sites, and vote centers, is  
2 amended to add an additional subdivision to read as follows:

3 (4)(A) If the county board of election commissioners reduces the  
4 total number of polling sites available in the county in a preferential  
5 primary election or a general election, a qualified elector of the county may  
6 appeal the decision to close the polling site that adversely affects the  
7 qualified elector's ability to cast a ballot to the State Board of Election  
8 Commissioners.

9 (B) An appeal made to the State Board of Election  
10 Commissioners shall:

11 (i) Be filed in writing within seven (7) days of the  
12 vote of the county board of election commissioners to reduce the number of  
13 polling sites available in the county;

14 (ii) Describe clearly the polling site that was  
15 closed;

16 (iii) Describe the reason the closure of the polling  
17 site in question adversely affects the election process; and

18 (iv) Be signed by the appellant under penalty of  
19 perjury.

20 (C) When a timely and sufficient appeal is filed under  
21 this subsection, the State Board of Election Commissioners shall determine if  
22 the reduction in polling sites is permissible in a timely fashion and shall  
23 issue an order resolving the appeal no less than thirty (30) days before the  
24 date of the election.

25 (D) An order by the State Board of Election Commissioners  
26 prohibiting a reduction in polling sites under this subsection shall be  
27 effective for the remainder of the term of the county board of election  
28 commissioners whose actions were appealed.

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30 SECTION 6. Arkansas Code § 7-5-107 is amended to read as follows:

31 7-5-107. Use of voter registration lists by poll workers.

32 (a)(1) In any election conducted in this state, precinct voter  
33 registration lists shall be used by poll workers in each polling place.

34 (2)(A) An electronic poll book may be used by poll workers in  
35 each polling place.

36 (B) The functions of an electronic poll book may include

1 without limitation:

- 2 (i) Voter lookup;  
3 (ii) Voter verification;  
4 (iii) Voter identification;  
5 (iv) Precinct assignment;  
6 (v) Ballot assignment;  
7 (vi) Recording when a voter presents himself or  
8 herself to an election official and requests a ballot; ~~and~~  
9 (vii) Redirecting voters to the correct polling  
10 site; and  
11 (viii) Determining if a voter has requested an  
12 absentee ballot.

13 (b) Precinct voter registration lists shall contain the name, address  
14 including zip code, and date of birth of each registered voter within the  
15 precinct, including those who have been designated inactive, the precinct  
16 number and county wherein the precinct is located, the name and date of the  
17 election, and a space for the voter's signature.

18 (c) The following shall be printed at the top of each page of the  
19 precinct voter registration list:

20 "IF YOU SIGN THIS FORM AND YOU ARE NOT A LAWFULLY REGISTERED VOTER OR IF YOU  
21 HAVE SUBMITTED AN ABSENTEE BALLOT FOR THIS ELECTION, YOU ARE MAKING A FALSE  
22 STATEMENT AND MAY BE COMMITTING PERJURY. PERJURY IS PUNISHABLE BY UP TO A  
23 \$10,000 FINE AND UP TO 10 YEARS IMPRISONMENT."  
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25 SECTION 7. Arkansas Code § 7-5-305(a)(11), concerning requirements to  
26 vote and duties of poll workers, is amended to read as follows:

27 (11)(A) Verify if a person requested an absentee ballot  
28 according to the precinct voter registration list; and

29 (B) Permit the person to cast a provisional ballot if the  
30 person received an absentee ballot according to the precinct voter  
31 registration list.  
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33 SECTION 8. Arkansas Code § 7-5-418(c), concerning early voting  
34 procedures, is amended to add an additional subdivision to read as follows:

35 (6)(A) Verify if a person requested an absentee ballot according  
36 to the precinct voter registration list; and

1                   (B) Permit a person to cast a provisional ballot if the  
2 person received an absentee ballot according to the precinct voter  
3 registration list.

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*/s/Ladyman*

**APPROVED: 4/30/21**