

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Flanagin**

# A Bill

**ACT 487 OF 1993**  
**HOUSE BILL 1057**

## For An Act To Be Entitled

"AN ACT TO PROVIDE THAT VOTER REGISTRATION LISTS MAY BE  
USED IN LIEU OF BINDERS AT VOTING PRECINCTS; AND FOR OTHER  
PURPOSES."

### Subtitle

"TO PROVIDE THAT VOTER REGISTRATION LISTS MAY BE USED IN  
LIEU OF BINDERS AT VOTING PRECINCTS."

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

SECTION 1. In any election conducted in this state, voter registration lists may be used by election officials in each precinct *instead of binders*. Voter registration lists must contain the name, address including zip code, precinct number, date of birth, affidavit of voter registration number, and printed image of the signature of each registered voter within the precinct, the precinct number and county wherein the precinct is located, the name and date of the election, and a space for the voter's signature.

SECTION 2. Arkansas Code 7-5-305 is amended to read as follows:

"§ 7-5-305. Identification of qualified voters.

(a) Before a person is permitted to vote, the election judge shall, if binders are used at the precinct:

(1) Request the voter to identify himself so that his affidavit of registration can be found in the precinct binder. After finding the affidavit of registration, the judge then stamps the date in the first unused space on the record of voting form in the precinct binder;

(2) Request the voter, in the presence of the judge, to sign his name, including his given name, his middle name or initial, if any, and his last name in the first unused space on the record of voting form in the

1 binder;

2           (3) Determine that the voter's signature on the affidavit of  
3 registration is identical to the signature on the record of voting form.

4           (b) Before a person is permitted to vote, the election judge shall, if  
5 voter registration lists are used at the precinct, :

6           (1) Request the voter to identify himself in order to verify the  
7 existence of his name on the voter registration list;

8           (2) Request the voter, in the presence of the judge, to sign his  
9 name, including his given name, his middle name or initial, if any, and his  
10 last name in the space provided therefor on the voter registration list.

11           (3) Determine that his signature is the same as the image of his  
12 signature on the voter registration list.

13           (c) A person unable to sign his signature or to make his mark or cross  
14 on the record of voting form shall state the month and day of his birth. The  
15 judge shall find that the person's date of birth, as stated by him, conforms  
16 to that entered in the space for the person's signature on the affidavit of  
17 registration by the permanent or deputy registrar."

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19           SECTION 3. Arkansas Code 7-7-308 is amended to read as follows:

20           "§ 7-7-308. Determination of right to vote - Precinct registration  
21 lists.

22           (a) Before a person is permitted to vote, an election judge shall, if  
23 binders are used at the precinct:

24           (1) Request the voter to identify himself so that his affidavit  
25 of registration can be found in the precinct binder and further request in  
26 which party primary the voter intends to vote. After finding the affidavit of  
27 registration, the judge then stamps the date and designation of the party  
28 primary in which the voter intends to vote in the first unused space on the  
29 record of voting form in the precinct binder;

30           (2) Request the voter, in the presence of the judge, to sign his  
31 name, including his given name, his middle name or initial, if any, and his  
32 last name in the first unused space on the record of voting form in the  
33 binder. A person unable to sign his signature or make his mark or cross on the  
34 record of voting form shall state the month and day of his birth. The judge  
35 shall find that the person's date of birth, as stated by him, conforms to that

1 entered in the space for the person's signature on the affidavit of  
2 registration by the permanent or deputy registrar;

3 (3) Determine the voter's signature on the affidavit of  
4 registration to be identical to the signature on the record of voting form.

5 (b) Before a person is permitted to vote, the election judge shall, if  
6 voter registration lists are used at the precinct:

7 (1) Request the voter to identify himself in order to verify the  
8 existence of his name on the voter registration list;

9 (2) Request the voter, in the presence of the judge, to sign his  
10 name, including his given name, his middle name or initial, if any, and his  
11 last name in the space provided for his signature on the voter registration  
12 list. A person unable to sign his signature or make his mark or cross on the  
13 voter registration list shall state the month and day of his birth. The judge  
14 shall find that the person's date of birth, as stated by him, conforms to that  
15 entered on the voter registration list;

16 (3) Determine that the voter's signature is the same as the image  
17 of his signature on the voter registration list.

18 (c) (1) At the same time the voter identifies himself and the party  
19 primary in which he intends to vote, the election clerk of the party primary  
20 which the voter designates shall mark the voter's name on the precinct  
21 registration list furnished by the county clerk as having voted. If a voter's  
22 name does not appear on the precinct registration list, but the voter is  
23 eligible to vote, the clerk shall add the voter's name to the list by writing  
24 his full name and address.

25 (2) After the polls close, the election clerk shall total the  
26 number of voters on the list.

27 (3) The precinct registration lists shall at all times be  
28 available to public inspection and, after the polls are closed, shall be  
29 returned to the appropriate county committees."

30 SECTION 4. Arkansas Code §7-7-310(a) is hereby amended to read as  
31 follows:

32 "(a) The county committee, immediately upon having canvassed the  
33 returns and, where demanded, examined the ballots and upon having certified  
34 the results of the primary as required in this subchapter, shall file, in the  
35 office of the county clerk of the county and, where there is more than one (1)

1 district, in the district of the county where the meetings of the county  
2 committee are held, all the returns, all precinct registration *binders* and  
3 lists and all ballots, affidavits, and other documents received from the  
4 judges of election, and it shall be obligatory upon the committee, its  
5 chairman, and secretary."

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7 SECTION 5. All provisions of this act of a general and permanent nature  
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
9 Revision Commission shall incorporate the same in the Code.

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11 SECTION 6. If any provision of this act or the application thereof to  
12 any person or circumstance is held invalid, such invalidity shall not affect  
13 other provisions or applications of the act which can be given effect without  
14 the invalid provision or application, and to this end the provisions of this  
15 act are declared to be severable.

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17 SECTION 7. All laws and parts of laws in conflict with this act are  
18 hereby repealed.

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20 /s/Rep. Flanagan

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22 APPROVED: 03/12/93

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