

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 1108 of 1999
HOUSE BILL 2178

5 By: Representative Shoffner
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND AMENDMENT 51, SECTION 10 TO PERMIT
10 THE COUNTY CLERK TO SEND OUT ADDRESS CONFIRMATIONS;
11 AND FOR OTHER PURPOSES. "
12

Subtitle

13 "TO AMEND AMENDMENT 51, SECTION 10 TO
14 PERMIT THE COUNTY CLERK TO SEND OUT
15 ADDRESS CONFIRMATIONS. "
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Amendment 51, Section 10 of the Arkansas Constitution is
22 amended to read as follows:

23 "§ 10. Transfer and change of status.

24 (a) Upon a change of legal residence within the county, or a change of
25 name, any registered voter may cause his registration to be transferred to his
26 new address or new name by completing and mailing a federal or state mail
27 voter registration application form, by updating his address at the Office of
28 Driver Services, any state revenue office, public assistance agency,
29 disabilities agency, or other voter registration agency, by signing a mailed
30 request to the permanent registrar, giving his present address and the address
31 at which he was last registered or his present name and the name under which
32 he was last registered, or by applying in person at the office of the
33 permanent registrar.

34 (b) If the change of legal residence is made pursuant to subsection (a)
35 or subdivision (c)(1) of this section during the thirty-day administrative
36 cut-off period immediately prior to any election scheduled within the county

1 the registered voter shall retain his right to vote in the scheduled election
 2 in the precinct to which he just moved.

3 (c) The permanent registrar shall conduct a uniform, nondiscriminatory,
 4 address confirmation program during each odd-numbered year to ensure that
 5 voter registration lists are accurate and current. The address confirmation
 6 program shall be completed not later than ninety (90) days prior to a primary
 7 or general election for federal office. Based on change of address data
 8 received from the United States Postal Service or its licensees, or other
 9 unconfirmed data indicating that a registered voter no longer resides at his
 10 or her registered address, the permanent registrar shall send a forwardable
 11 address confirmation notice, including a postage-paid and preaddressed return
 12 card, to enable the voter to verify or correct the address information.

13 (1) If change of address data indicates that the voter has moved
 14 to a new residence address in the same county and, if the county is divided
 15 into more than one (1) congressional district, the same congressional
 16 district, the address confirmation notice shall contain the following
 17 statement:

18
 19 'We have received notification that you have moved to a new address in
 20 County (or in the Congressional District). We will reregister
 21 you at your new address unless, within ten (10) days, you notify us that your
 22 change of address is not a change of your permanent residence. You may notify
 23 us by returning the attached postage-paid postcard or by calling (...) ... -
 24 If this is not a permanent change of residence and if you do not notify
 25 us within ten (10) days you may be required to update your residence address
 26 in order to vote at future elections.'

27 (2) If the change of address data indicates that the voter has
 28 moved to a new address in another county or, if a county is divided into more
 29 than one (1) congressional district, to a new address in the same county but
 30 in a new congressional district, the notice shall include the following
 31 statement:

32
 33 'We have received notification that you have moved to a new address not in
 34 County (or not in the Congressional District). If you no
 35 longer live in County (or in the Congressional District), you
 36 must reregister at your new residence address in order to vote in the next

1 election. If you are still an Arkansas resident, you may obtain a form to
 2 register to vote by calling your County Clerk's Office or the Secretary of
 3 State. If your change of address is not a change of your permanent residence,
 4 you must return the attached postage-paid postcard. If you do not return this
 5 card and continue to reside in County (and in the
 6 Congressional District), you may be required to provide identification and
 7 update your residence address in order to vote at future elections, and if you
 8 do not vote at any election in the period between the date of this notice and
 9 the second federal general election after the date of this notice, your voter
 10 registration will be cancelled and you will have to reregister in order to
 11 vote. If the change of address is permanent, please return the attached
 12 postage-paid postcard which will assist us in keeping our voter registration
 13 records accurate.'

14 (d) The county clerk may send out an address confirmation to any voter
 15 when they receive unconfirmed information that the voter no longer resides at
 16 the address on the voter registration records. The county clerk shall follow
 17 the same confirmation procedure as set forth in subsection (c).

18 ~~(d)~~(e) Based on change of address information received pursuant to
 19 subsections (a) and (c) of this section, the permanent registrar shall:

20 (1) Update and correct the voter's registration if the
 21 information indicates that the voter has moved to a new address within the
 22 same county and the same congressional district;

23 (2) Designate the voter as inactive if the information indicates
 24 the voter has moved to a new address in another county or to a new address in
 25 another congressional district in the same county, or if the address
 26 confirmation notices have been returned as undeliverable; or

27 (3) Cancel the voter registration in the county from which the
 28 voter has moved if the voter verifies in writing that he or she has moved to a
 29 residence address in another county. [As amended by Acts 1977, No. 882, § 1;
 30 1991, No. 581, § 1; 1995, No. 947, § 6; 1995, No. 964, § 6.]”

31
 32 SECTION 2. All provisions of this act of a general and permanent nature
 33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 34 Revision Commission shall incorporate the same in the Code.

35
 36 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

5
6 SECTION 4. All laws and parts of laws in conflict with this act are
7 hereby repealed.

8
9
10 APPROVED: 4/5/1999
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36