

Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 560 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 2360

5 By: Representative E. Brown
6
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE TRANSFER OF VOTER
10 REGISTRATION FROM COUNTY TO COUNTY; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 AN ACT CONCERNING THE TRANSFER OF VOTER
15 REGISTRATION FROM COUNTY TO COUNTY.
16
17

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

20 SECTION 1. Pursuant to the authority granted under Section 19 of
21 Amendment 51 to the Arkansas Constitution, Section 10 of Amendment 51 to the
22 Arkansas Constitution is 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 or her registration to be
26 transferred to his or her new address or new name by completing and mailing a
27 federal or state mail voter registration application form, by updating his or
28 her address at the Office of Driver Services, any state revenue office,
29 public assistance agency, disabilities agency, or other voter registration
30 agency, by signing a mailed request to the permanent registrar, giving his or
31 her present address and the address at which he or she was last registered or
32 his or her present name and the name under which he or she was last
33 registered, or by applying in person at the office of the permanent
34 registrar.

35 (b)(1) Upon a change of legal residence from one (1) county within the



1 state to another county within the state, any registered voter may cause his
 2 or her registration to be transferred to the new county at his or her new
 3 address by:

4 (A) Completing and mailing a federal or state mail voter
 5 registration application form;

6 (B) Updating his or her new address at a voter
 7 registration agency, including without limitation the Office of Driver
 8 Services or a state revenue office, public assistance agency, or disabilities
 9 agency;

10 (C) Signing a mailed request to the permanent registrar
 11 giving the voter's present address and the address at which the voter was
 12 last registered; or

13 (D) Applying in person for the transfer at the office of
 14 the permanent registrar.

15 (2)(A) If the updated registration information is received in
 16 the office of the county clerk of the voter's new county not later than four
 17 (4) days before a scheduled election, the voter shall have the right to vote
 18 in the scheduled election in the precinct to which the voter just moved in
 19 the new county.

20 (B) If the updated registration information is received
 21 less than four (4) days before a scheduled election, the voter shall not be
 22 eligible to vote in the scheduled election.

23 ~~(b)(c)~~ If the change of legal residence is made pursuant to subsection
 24 (a) or subdivision ~~(e)(d)~~(1) of this section during the thirty-day
 25 administrative cut-off period immediately prior to any election scheduled
 26 within the county, the registered voter shall retain his or her right to vote
 27 in the scheduled election in the precinct to which he or she just moved.

28 ~~(e)(d)~~ The permanent registrar shall conduct a uniform,
 29 nondiscriminatory address confirmation program during each odd-numbered year
 30 to ensure that voter registration lists are accurate and current. The address
 31 confirmation program shall be completed not later than ninety (90) days prior
 32 to a primary or general election for federal office. Based on change of
 33 address data received from the United States Postal Service or its licensees,
 34 or other unconfirmed data indicating that a registered voter no longer
 35 resides at his or her registered address, the permanent registrar shall send
 36 a forwardable address confirmation notice, including a postage-paid and

1 preaddressed return card, to enable the voter to verify or correct the
 2 address information.

3 (1) If change of address data indicate that the voter has moved
 4 to a new residence address in the same county and, if the county is divided
 5 into more than one (1) congressional district, the same congressional
 6 district, the address confirmation notice shall contain the following
 7 statement:

8
 9
 10

11 "We have received notification that you have moved to a new address in
 12 _____ County (or in the _____ Congressional
 13 District). We will reregister you at your new address unless, within ten (10)
 14 days, you notify us that your change of address is not a change of your
 15 permanent residence. You may notify us by returning the attached postage-paid
 16 postcard or by calling (_____) _____-_____. If this is not a
 17 permanent change of residence and if you do not notify us within ten (10)
 18 days you may be required to update your residence address in order to vote at
 19 future elections."

20

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

26

27 "We have received notification that you have moved to a new address not in
 28 _____ County (or not in the _____ Congressional
 29 District). If you no longer live in _____ County (or in the
 30 _____ Congressional District), you must ~~reregister at~~ transfer
 31 your registration to your new residence address in order to vote in the next
 32 election. If you are still an Arkansas resident, you may obtain a form to
 33 ~~register to vote~~ transfer your registration by calling your county clerk's
 34 office or the Secretary of State. If your change of address is not a change
 35 of your permanent residence, you must return the attached postage-paid
 36 postcard. If you do not return this card and continue to reside in

1 _____ County (and in the _____ Congressional
 2 District), you may be required to provide identification and update your
 3 residence address in order to vote at future elections, and if you do not
 4 vote at any election in the period between the date of this notice and the
 5 second federal general election after the date of this notice, your voter
 6 registration will be cancelled and you will have to reregister in order to
 7 vote. If the change of address is permanent, please return the attached
 8 postage-paid postcard which will assist us in keeping our voter registration
 9 records accurate."

10 ~~(d)~~(e) The county clerk may send out an address confirmation to any
 11 voter when ~~they receive~~ he or she receives unconfirmed information that the
 12 voter no longer resides at the address on the voter registration records. The
 13 county clerk shall follow the same confirmation procedure as set forth in
 14 subsection ~~(e)~~(d).

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

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

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

24 (3) Cancel the voter registration in the county from which the
 25 voter has moved if the voter verifies in writing that he or she has moved to
 26 a residence address in another county.

27
 28 SECTION 2. Arkansas Code § 7-5-201(a), concerning voter qualification,
 29 is amended to read as follows:

30 (a) To be qualified to vote, a person shall have registered at least
 31 thirty (30) calendar days immediately prior to the election and in the manner
 32 set forth by Arkansas Constitution, Amendment 51. ~~The person shall be~~
 33 ~~eligible to vote only in the county in which he resides on the date thirty-~~
 34 ~~one (31) calendar days prior to the election, unless specifically exempted~~
 35 ~~under § 7-5-406.~~

36 APPROVED: 3/28/2007