

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: S3/28/13 H4/16/13

# A Bill

SENATE BILL 719

5 By: Senator B. King  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE THE VOTER INTEGRITY UNIT WITH THE  
9 SECRETARY OF STATE; TO ENSURE EFFECTIVE AND THOROUGH  
10 INVESTIGATIONS OF ALLEGED ELECTION MISCONDUCT; TO  
11 PROTECT THE INTEGRITY OF ELECTIONS; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 TO CREATE THE VOTER INTEGRITY UNIT WITH  
16 THE SECRETARY OF STATE; TO ENSURE  
17 EFFECTIVE AND THOROUGH INVESTIGATIONS OF  
18 ALLEGED ELECTION MISCONDUCT; AND TO  
19 PROTECT THE INTEGRITY OF ELECTIONS.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 *SECTION 1. Arkansas Code Title 7, Chapter 1, is amended to add an*  
26 *additional section to read as follows:*

27 7-1-111. Voter Integrity Unit – Creation.

28 (a) There is created a Voter Integrity Unit.

29 (b) The Voter Integrity Unit shall be composed of four (4) members of  
30 the staff of the Secretary of State who are designated by the Secretary of  
31 State, including:

32 (1) The Director of the Elections Division of the Secretary of  
33 State, or a designee selected by the Secretary of State, to serve as Chairman  
34 of the Voter Integrity Unit;

35 (2) The General Counsel of the Secretary of State;

36 (3) One (1) employee of the Elections Division of the Secretary



1 of State; and

2 (4) One (1) officer of the State Capitol Police.

3 (c) The Voter Integrity Unit shall investigate any complaint of  
4 election irregularity or alleged violation of election law that has been  
5 filed with the State Board of Election Commissioners.

6 (d) The Voter Integrity Unit shall:

7 (1)(A) Conduct an investigation of each complaint of election  
8 irregularity or alleged violation of election law.

9 (B) In the course of an investigation, the Voter Integrity  
10 Unit may:

11 (i) Conduct a hearing;

12 (ii) Use the power of subpoena to compel the:

13 (a) Attendance and testimony of a witness; and

14 (b) Production of evidence, including without  
15 limitation books, records, or other documents; and

16 (iii) Administer an oath for the purpose of taking  
17 sworn testimony; and

18 (2) Render a report on the result of the investigation to the  
19 Secretary of State.

20 (e) Within thirty (30) calendar days of receiving the report, the  
21 Secretary of State shall present the results of the report to a meeting of  
22 the State Board of Election Commissioners.

23 (f) The State Board of Election Commissioners shall receive the report  
24 and within thirty (30) calendar days from receipt of the report determine an  
25 official response from the board, including without limitation:

26 (1) Dismissal of the complaint of election irregularity or  
27 violation of election law;

28 (2) Issue of a letter of caution to individuals or entities  
29 responsible for election irregularity; or

30 (3) Referral of the instance of alleged election law violation  
31 to:

32 (A) The prosecuting attorney for the jurisdiction in which  
33 the alleged election law violation occurred; or

34 (B) The United States Attorney for the jurisdiction in  
35 which the alleged election law violation occurred.

36 (g) Within sixty (60) calendar days of determining the official

1 response of the State Board of Election Commissioners to the instance of  
2 election irregularity or alleged violation of election law, the State Board  
3 of Election Commissioners shall submit to the House Committee of State  
4 Agencies and Governmental Affairs and the Senate Committee of State Agencies  
5 and Governmental Affairs of the Arkansas General Assembly a report that  
6 includes without limitation the:

7 (1) Name of the complainant or entity filing the complaint of  
8 election irregularity or alleged election law violation;

9 (2) Date the incident is alleged to have occurred;

10 (3) Date of the complaint;

11 (4) Location in which it is alleged that the incident occurred;

12 (5) Detailed explanation of the complaint of election  
13 irregularity or alleged election law violation;

14 (6) Report of the Voter Integrity Unit to the Secretary of  
15 State; and

16 (7) Resolution report of the State Board of Election  
17 Commissioners, including:

18 (A) Minutes of the State Board of Election Commissioners'  
19 meeting on the report of the Voter Integrity Unit;

20 (B) Determination of the State Board of Election  
21 Commissioners regarding disposition of the complaint of election irregularity  
22 or alleged election law violation; and

23 (C) Copies of any referrals to prosecutors or United  
24 States Attorneys.

25  
26  
27 /s/B. King  
28  
29  
30  
31  
32  
33  
34  
35  
36