

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

SENATE BILL 1013

4
5 By: Senator B. King

For An Act To Be Entitled

8 AN ACT TO PROVIDE FOR COMPREHENSIVE INVESTIGATIONS OF
9 ELECTION MISCONDUCT; TO CREATE A VOTER INTEGRITY UNIT
10 ADMINISTERED BY THE SECRETARY OF STATE; AND FOR OTHER
11 PURPOSES.

Subtitle

12 TO PROVIDE FOR COMPREHENSIVE
13 INVESTIGATIONS OF ELECTION MISCONDUCT;
14 AND TO CREATE A VOTER INTEGRITY UNIT
15 ADMINISTERED BY THE SECRETARY OF STATE.

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

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

25 7-1-114. Voter Integrity Unit – Creation.

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

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

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

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

34 (3) One (1) employee of the Elections Division of the Secretary
35 of State; and

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



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

4 (d) The Voter Integrity Unit shall:

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

7 (B) In the course of an investigation, the Voter Integrity
8 Unit may:

9 (i) Conduct a hearing;

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

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

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

14 (iii) Administer an oath for the purpose of taking
15 sworn testimony; and

16 (2) Render a report on the result of the investigation to the
17 Secretary of State.

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

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

24 (1) Dismissal of the complaint of election irregularity or
25 violation of election law;

26 (2) Issuance of a letter of caution to individuals or entities
27 responsible for election irregularity; or

28 (3) Referral of the instance of alleged election law violation
29 to:

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

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

34 (g) Within sixty (60) calendar days of determining the official
35 response of the State Board of Election Commissioners to the instance of
36 election irregularity or alleged violation of election law, the State Board

1 of Election Commissioners shall submit to the House Committee on State
2 Agencies and Governmental Affairs and the Senate Committee on State Agencies
3 and Governmental Affairs of the Arkansas General Assembly a report that
4 includes without limitation the:

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

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

8 (3) Date of the complaint;

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

10 (5) Detailed explanation of the complaint of election
11 irregularity or alleged election law violation;

12 (6) Report of the Voter Integrity Unit to the Secretary of
13 State; and

14 (7) Resolution report of the State Board of Election
15 Commissioners, including:

16 (A) Minutes of the meeting of the State Board of Election
17 Commissioners on the report of the Voter Integrity Unit;

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

21 (C) Copies of any referrals to prosecutors or United
22 States Attorneys.

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