

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H2/18/19

A Bill

HOUSE BILL 1388

5 By: Representatives Gonzales, Boyd
6 By: Senator M. Pitsch
7

For An Act To Be Entitled

9 AN ACT TO ENSURE REGISTERED VOTERS ARE UNITED STATES
10 CITIZENS; TO CREATE A PROCESS FOR TRANSFER OF
11 INFORMATION FROM THE JUDICIARY TO THE VOTER
12 REGISTRATION OFFICIALS; TO AMEND AMENDMENT 51 OF THE
13 ARKANSAS CONSTITUTION; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO ENSURE REGISTERED VOTERS ARE UNITED
17 STATES CITIZENS; TO CREATE A PROCESS FOR
18 TRANSFER OF INFORMATION FROM THE
19 JUDICIARY TO THE VOTER REGISTRATION
20 OFFICIALS; AND TO AMEND AMENDMENT 51 OF
21 THE ARKANSAS CONSTITUTION.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Under the authority permitted under § 19 of Amendment 51 of
28 the Arkansas Constitution, Arkansas Constitution, Amendment 51, § 11(e)-(g),
29 concerning cancellation of voter registration, are amended to read as
30 follows:

31 (e)(1)(A) If upon inquiry an individual is found by a court to be
32 unfit and disqualified to act as a grand or petit juror because the person is
33 not a citizen of the United States:

34 (i) The name of the individual shall be put aside
35 and not used; and

36 (ii) A notation of the dismissal of the name and



1 reason for dismissal of the name shall be made in the jury book.

2 (B) The circuit clerk shall promptly notify the permanent
3 registrar of the county of residence of an individual who is disqualified
4 from serving as a juror under subdivision (e)(1)(a) of this section.

5 (C) After receiving the notice from the circuit clerk, the
6 permanent registrar shall promptly cancel the dismissed juror's voter
7 registration, update the voter registry, and send the dismissed juror notice
8 under subsection (f) of this section.

9 (2)(A) It is the duty of any person whose registration has been
10 cancelled under subsection (e) of this section to provide the permanent
11 registrar with proof from the appropriate federal, state, or local agency
12 that he or she is a citizen of the United States.

13 (B) Upon complying with subdivision (e)(2)(A) of this
14 section the person shall be deemed eligible to vote and the permanent
15 registrar shall add the citizen to the voter registry upon the citizen's
16 application for voter registration.

17 (f) Within ten (10) days following the receipt or possession of
18 information requiring any cancellation of registration, other than under
19 section 11(a)(1) of this amendment, the permanent registrar shall cancel the
20 registration, note the date of the cancellation, the reason for the
21 cancellation, and the person cancelling the registration.

22 ~~(f)(1)~~(g)(1) The permanent registrar shall, thirty (30) days before
23 cancellation, notify all persons whose registration records are to be
24 cancelled in accordance with section 11(a)(1) of this amendment. The notice
25 may be either by publication or by first class mail. The notice by mail shall
26 be as follows:

27 "NOTICE OF IMPENDING CANCELLATION OF VOTER REGISTRATION.

28 According to our records you have not responded to our address
29 confirmation notice and you have not voted in any election during the period
30 beginning on the date of the notice and ending on the day after the date of
31 the second general election for federal office after the date of the first
32 notice. This may indicate that you no longer live at the residence address
33 printed on the postcard. If your permanent residence address is still the
34 same as the printed address on this postcard YOU MUST CONFIRM YOUR RESIDENCE
35 ADDRESS in order to remain on the voter registration list. If you do not
36 return the attached postcard within thirty (30) days after the date

1 postmarked on this card YOUR REGISTRATION WILL BE CANCELLED and you will have
2 to re-register to vote.”

3 (2) When, in response to the notice, a qualified voter requests
4 the permanent registrar not to cancel the voter registration, the voter
5 registration shall not be cancelled under section 11(a)(1) of this amendment.

6 ~~(g)~~(h) The permanent registrar is authorized, and may be directed by
7 the county board of registration, to determine by mail check, house to house
8 canvass, or any other reasonable means at any time within the whole or any
9 part of the county whether active record registration files contain the names
10 of any persons not qualified by law to vote. Further, upon application based
11 upon affidavits of one (1) or more qualified voters by the prosecuting
12 attorney for the county, the circuit judge of the county, for good cause
13 shown, may order the permanent registrar to make sure determination or to
14 cancel the registration of such unqualified persons.

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16 /s/Gonzales
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