

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1777

5 By: Representatives Clowney, Eaves, M. Gray, Vaught, Wardlaw
6

For An Act To Be Entitled

8 AN ACT TO PROTECT DOMESTIC VIOLENCE VICTIMS VOTER
9 REGISTRATION INFORMATION; TO AMEND THE DUTIES OF THE
10 SECRETARY OF STATE; TO AMEND ARKANSAS ELECTION
11 PROCEDURE; AND FOR OTHER PURPOSES.
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Subtitle

14 TO PROTECT DOMESTIC VIOLENCE VICTIMS
15 VOTER REGISTRATION INFORMATION; TO AMEND
16 THE DUTIES OF THE SECRETARY OF STATE; AND
17 TO AMEND ARKANSAS ELECTION PROCEDURE.
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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 § 7-5-109(a), concerning computerized voter
24 registration lists, is amended to read as follows:

25 (a)(1) The county clerks of the several counties of the state may
26 reproduce the registered voter list maintained by the county clerk in any
27 format that the office of the county clerk is capable of providing.

28 (2) The county clerks of the several counties of the state shall
29 not reproduce secure voter information maintained by the county clerk in any
30 format unless otherwise authorized by law.
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32 SECTION 2. Arkansas Code § 7-5-109(c), concerning computerized voter
33 registration lists, is amended to read as follows:

34 (c)(1)(A) Upon request every county clerk who maintains on computer
35 the list of registered voters within the county shall provide the list on
36 compact disc or other electronic medium, except the list of registered voters



1 whose information is contained as a secure voter.

2 (B) The list of registered voters, excluding registered
3 voters listed as secure voters, shall include at least the names, addresses,
4 and precinct numbers of the voters.

5 (2)(A) The fee for a list of registered voters, excluding
6 registered voters listed as secure voters, on compact disc or other
7 electronic medium, of one (1) to five thousand (5,000) registered voters may
8 be up to ten dollars (\$10.00).

9 (B) The fee for a list of registered voters, excluding
10 registered voters listed as secure voters, on compact disc or other
11 electronic medium, of five thousand one (5,001) to twenty-five thousand
12 (25,000) registered voters may be up to twenty-five dollars (\$25.00).

13 (C) The fee for a list of registered voters, excluding
14 registered voters listed as secure voters, on compact disc or other
15 electronic medium, of more than twenty-five thousand (25,000) registered
16 voters may be up to fifty dollars (\$50.00).

17 (3) If a printed list of registered voters, excluding registered
18 voters listed as secure voters, is requested, the cost of the list may be no
19 more than two cents (2¢) per name and address.

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21 SECTION 3. Arkansas Code § 7-5-110 is amended to read as follows:

22 7-5-110. Registration lists for each ballot combination.

23 In any precinct with more than one (1) ballot combination, the county
24 clerk shall prepare precinct voter registration lists of registered voters,
25 excluding registered voters listed as secure voters, that identify the
26 district, subdistrict, county, municipality, ward, and school zone in which
27 each voter is qualified to vote.

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29 SECTION 4. Arkansas Code Title 7, Chapter 5, Subchapter 1, is amended
30 to add an additional section to read as follows:

31 7-5-112. Secure voter registration for domestic violence victims.

32 (a) A registered voter who is a victim of domestic violence may
33 request secure voter status for his or her voter registration information.

34 (b) A registered voter designated as a secure voter is required to
35 comply with all voter identification requirements when casting a ballot.

36 (c) The address information for a secure voter is confidential and is

1 not a public record under the Freedom of Information Act of 1967, § 25-19-101
 2 et seq.

3 (d) The Secretary of State shall promulgate rules in accordance with
 4 the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to implement
 5 the process by which a registered voter who is the victim of domestic
 6 violence may request secure voter status from the county clerks, including
 7 without limitation the:

8 (1) Administrative process a county clerk shall use to verify
 9 eligibility for secure voter status;

10 (2) Documentation required for domestic violence victims to be
 11 approved for secure voter status;

12 (3) Format in which the county clerk shall maintain the
 13 residential address of all registered voters listed on the voter registration
 14 roll when the registered voter has a secure voter status; and

15 (4) Process for complying with a post-election challenge
 16 involving a secure voter.

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 18 SECTION 5. TEMPORARY LANGUAGE. DO NOT CODIFY. Promulgation of rules.

19 (a) When adopting the initial rules to implement this act, the final
 20 rules shall be filed with the Secretary of State for adoption under § 25-15-
 21 204(f):

22 (1) On or before January 1, 2022; or

23 (2) If approval under § 10-3-309 has not occurred by January 1,
 24 2022, as soon as practicable after approval under § 10-3-309.

25 (b) The Secretary of State shall file the proposed rule with the
 26 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,
 27 2022, so that the Legislative Council may consider the rule for approval
 28 before January 1, 2022.