

1 State of Arkansas As Engrossed: H2/16/23 H2/22/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

HOUSE BILL 1411

4

5 By: Representatives McAlindon, Wing, Achor, Andrews, Barker, Beaty Jr., Beck, Bentley, M. Berry,
6 Breaux, Brooks, K. Brown, M. Brown, Burkes, Joey Carr, C. Cooper, Cozart, Evans, C. Fite, L. Fite,
7 Fortner, Furman, Gazaway, Gonzales, Gramlich, Haak, Hawk, Hollowell, Jean, Ladyman, Long,
8 Lundstrum, Lynch, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S. Meeks,
9 Miller, Milligan, K. Moore, Painter, Pearce, Pilkington, Puryear, R. Scott Richardson, Richmond, Rose,
10 Rye, Schulz, Steimel, Tosh, Underwood, Vaught, Womack, Wooldridge, Wooten
11 By: Senators Stone, K. Hammer, Crowell, Dees, M. McKee, J. Petty

12

13

For An Act To Be Entitled

14

AN ACT TO AMEND THE PROHIBITION ON THE DELIVERY OF
15 UNSOLICITED ABSENTEE BALLOT APPLICATIONS TO ELECTORS;
16 TO AMEND THE LAW CONCERNING ABSENTEE BALLOTS; TO
17 AMEND THE LAW CONCERNING MATERIALS FURNISHED TO
18 QUALIFIED VOTERS WITH ABSENTEE BALLOTS; AND FOR OTHER
19 PURPOSES.

20

21

22

Subtitle

23

TO AMEND THE PROHIBITION ON THE DELIVERY
24 OF UNSOLICITED ABSENTEE BALLOT
25 APPLICATIONS TO ELECTORS; AND TO AMEND
26 THE LAW CONCERNING ABSENTEE BALLOTS.

27

28

29

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

30

31

SECTION 1. Arkansas Code § 7-5-404(a)(1), concerning applications for
32 absentee ballots, is amended to read as follows:

33

(a)(1)(A)(i) Applications for absentee ballots shall be delivered to
34 an applicant with the application blank except for the information that may
35 be automatically populated by the voter registration system.

36

(ii) No voter selections shall be pre-filled on an



1 application for an absentee ballot.

2 (B) Applications for absentee ballots ~~must~~ shall be signed
3 by the applicant and verified by the county clerk by checking the voter's
4 name, address, date of birth, and signature from the voter registration
5 application unless the application is sent by electronic means.

6 ~~(B)~~ (C) If the application is sent by electronic means, the
7 application ~~must~~ shall bear a verifiable facsimile of the applicant's
8 signature.

9 (D) If an applicant is given assistance filling out an
10 application for an absentee ballot, the person giving assistance to the
11 applicant shall provide his or her name, address, and signature on the
12 application.

13
14 SECTION 2. Arkansas Code § 7-5-405(a)(2), concerning the application
15 form for absentee ballots, is amended to add an additional subdivision to
16 read as follows:

17 (I) A statement indicating whether the voter has received
18 assistance filling out the application for an absentee ballot, and the name
19 address, and signature of the person providing assistance.

20
21 SECTION 3. Arkansas Code § 7-5-409(d), concerning materials furnished
22 to qualified voters, is amended to read as follows:

23 (d) The county clerk shall not deliver an absentee ballot to any
24 person other than the absentee voter unless the person picking up the ballot
25 ~~provides current and valid photographic identification to the county clerk~~
26 ~~that he or she is:~~

27 (1) Is either:

28 (A) The voter's:

29 ~~(A)(i)~~ Designated bearer; or

30 ~~(B)(ii)~~ Authorized agent; or

31 ~~(2)(B)~~ The administrator of a long-term care or
32 residential care facility licensed by the state in which the voter resides;
33 and

34 (2) Provides to the county clerk a current and valid federal-
35 issued or state-issued document or identification card that includes his or
36 her name and photograph.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 4. Arkansas Code § 7-5-409, concerning materials furnished to qualified voters, is amended to add an additional subsection to read as follows:

(j) A person who purposely violates subsection (h) of this section upon conviction shall be guilty of a Class A misdemeanor.

/s/McAlindon

APPROVED: 3/21/23