

ARKANSAS SENATE
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of Senate Bill No. 435

TO AMEND ARKANSAS LAW TO ALLOW A VOTER APPEARING IN PERSON TO REQUEST A PAPER
BALLOT.

Amendment No. 1 to Senate Bill 435

Amend Senate Bill No. 435 as originally introduced:

Page 1, line 10, delete "PERSON" and substitute "PERSON AT A DESIGNATED VOTE CENTER"

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND ARKANSAS LAW TO ALLOW A VOTER
APPEARING IN PERSON AT A DESIGNATED VOTE
CENTER TO REQUEST A PAPER BALLOT."

AND

Page 1, delete line 22, and substitute the following:

"SECTION 1. Arkansas Code § 7-1-113 is amended to read as follows:
7-1-113. Vote centers.

(a)(1) The county board of election commissioners may establish one
(1) or more vote centers in the county on election day under § 7-5-101.

(2) A vote center shall be available to any qualified elector
registered to vote in the county who applies to the county board of election
commissioners while the polls are open on election day.

(3)(A) At least one (1) vote center established in the county by



the county board of election commissioners under this section shall provide a paper ballot capable of being marked by hand to any voter who requests such a ballot.

(B) The vote center in the county that is closest to the county courthouse shall provide paper ballots capable of being marked by hand to requesting voters under subdivision (a)(3)(A) of this section.

(b) If a vote center is used in an election, the vote center shall have a secure electronic connection to provide voting information to and receive voting information from a computerized registration book maintained by the county clerk.

(c) Before a person is permitted to cast a vote at a vote center, the election official shall:

(1) Request that the voter identify himself or herself by stating his or her name, date of birth, and address in order to verify his or her registration and provide identification as required by law;

(2) Request that the voter provide identification as required by law;

(3) If the voter's name or address is not the same as that in the county voter registration record files, request that the voter complete an updated voter registration application form; and

(4)(A) Request that the voter sign a voting roster or voting request form that identifies his or her name, address, date of birth, and the date on the roster or form.

(B) The voting roster or voting request form shall contain the written or printed precinct number or ballot style of the voter.

(d) If the voter is not listed in the electronic county voter registration files, the election official is unable to verify the voter's registration, and the voter contends that he or she is eligible to vote, the voter shall be directed to his or her polling site for the voter's precinct to cast a ballot.

(e) The county board of election commissioners shall furnish a vote center location that adequately allows the voter to personally and secretly execute his or her vote.

(f) The Secretary of State shall promulgate rules for the vote centers that:

(1) Designate the electronic equipment to be used to verify the

registration record of a voter;

(2) Establish standards for the maintenance and use of the equipment used at a vote center;

(3) Establish standards for the testing and backup of the equipment used at a vote center;

(4) Establish standards for a secure electronic connection between a vote center and a county's computerized registration book; ~~and~~

(5) Establish procedures for the conduct of the vote center in the event that the electronic system fails; and

(6) Establish standards for ensuring that paper ballots capable of being marked by hand are available to all voters requesting a paper ballot capable of being marked by hand at a vote center under subdivision (a)(3) of this section.

SECTION 2. Arkansas Code Title 7, Chapter 5, Subchapter 6, is amended"

AND

Page 1, line 24, delete "ballot" and substitute "ballot at vote center"

AND

Page 1, delete lines 25 through 27, and substitute the following:

"(a) A voter appearing to vote in person at a vote center that is required to provide paper ballots capable of being marked by hand under § 7-1-113(a)(3) is entitled to cast his or her vote on a paper ballot capable of being marked by hand, which shall be handled and counted as provided in this subchapter."

AND

Page 1, line 28, delete "(b)(1)" and substitute "(b)"

AND

Page 1, delete line 29, and substitute the following:

“provide a requesting voter with a paper ballot capable of being marked by hand at a vote center that is required to provide such paper ballots under § 7-1-113(a)(3).”

AND

Page 1, delete lines 30 through 36 and substitute the following:

“(c)(1) A person who knowingly or purposely violates the provisions of this section by refusing to provide a paper ballot capable of being marked by hand to a requesting voter at a vote center that is required to provide such paper ballots under § 7-1-113(a)(3) shall be guilty of a Class C misdemeanor.

(2) It is a defense to prosecution for a poll worker under subdivision (c)(1) of this section that the county board of election commissioners or the county clerk did not provide sufficient paper ballots capable of being marked by hand for the poll worker to provide a paper ballot capable of being marked by hand to a voter upon request.”

AND

Page 2, delete lines 1 through 17

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator A. Clark

MBM/MBM - 04-03-2023 13:00:20

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Secretary