

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1065

By: Representative Maddox

"AN ACT TO AMEND SUBSECTIONS (a) AND (f) OF SECTION 11 OF AMENDMENT NO. 51 TO THE ARKANSAS CONSTITUTION TO PROVIDE THAT THE VOTER REGISTRATION OF A PERSON WHO IS IN THE ACTIVE MILITARY SERVICE OF THE UNITED STATES SHALL BE CANCELLED FOR FAILURE TO VOTE ONLY IF SUCH PERSON FAILS TO VOTE IN ANY ELECTION DURING SIX (6) SUCCESSIVE CALENDAR YEARS; AND FOR OTHER PURPOSES."

WHEREAS, Section 19 of Amendment 51 to the Arkansas Constitution specifically authorizes the General Assembly to amend Sections 5 through 15 of Amendment 51 by an act passed by two-thirds vote of the members elected to each house of the General Assembly; and

WHEREAS, under the current language of Section 11 of Amendment No. 51, the registration of voters is cancelled for failure to vote in any election during four (4) successive calendar years; and

WHEREAS, many registered voters in the State are in the active military service of the United States and in many cases it is difficult for them to vote in elections held in the State and consequently the provision for cancellation of their registration for failure to vote in four successive calendar years places a severe hardship on them; and

WHEREAS, this Act is designed to amend Section 11 of Amendment 51 to provide that registration of a person who is the active military service of the United States shall be cancelled for failure to vote only if the person fails to vote in any election during six (6) successive calendar years,

NOW THEREFORE,

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

SECTION 1. Subsections (a) and (f) of Section 11 of Amendment No. 51 to

the Arkansas Constitution are hereby respectively amended to read as follows:

"(a) It shall be the duty of the Permanent Registrar to cancel the registration of voters:

(1) who have failed to vote in any election during four (4) successive calendar years immediately preceding the first of January of any year. Provided, the registration of a person who is in the active military service of the United States shall be cancelled for failure to vote only if such person has failed to vote in any election during six (6) successive calendar years immediately preceding the first of January of any year;

(2) who have changed their residence to an address outside the county;

(3) who have died or changed their name;

(4) who have been convicted of felonies and have not discharged their sentence or been pardoned; or

(5) who are not lawfully qualified or registered electors of this State, or of the county."

"(f) The Permanent Registrar may send all persons whose Affidavits of Registration are cancelled in accordance with Section 11(a)(1) of this amendment the following notice by first-class mail within ten (10) days after such cancellation: 'NOTICE OF CANCELLATION OF VOTER REGISTRATION. Notice is hereby given that due to your failure to vote in any election in this county during the preceding four (4) calendar years, (six (6) calendar years in the case of persons in active military service of the United States) under the laws of this State your voter registration has been cancelled. If you are still a qualified voter, you may register again at any time.' Alternatively, the Permanent Registrar may publish a list of the names of all persons whose Affidavits of Registration are cancelled in the previous calendar year in accordance with Section 11(a)(1) of this amendment on or before the 31st day of January of each year in a legal newspaper. To assure proper identification, the name of the person's street or route and the name of the city, town, or community in which the person lives shall be included. The following notice shall be given and shall be followed by the list of names: 'NOTICE OF CANCELLATION OF VOTER REGISTRATION. Notice is hereby given that due to your failure to vote in any election in this county during the preceding four (4) calendar years, (six (6) calendar years in case of persons in active military

service of the United States) under the laws of this State your voter registration has been cancelled. If you are still a qualified voter, you may register again at any time."

SECTION 2. All constitutional provisions and laws in conflict with this Act are hereby repealed.

