

As Engrossed: 2/27/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representatives D. Wood, Henry, and Flanagin**

A Bill

HOUSE BILL 1828

For An Act To Be Entitled

8 "AN ACT TO AMEND SECTION 10 OF AMENDMENT 51 TO THE
9 ARKANSAS CONSTITUTION RELATING TO CHANGE OF RESIDENCE AND
10 TRANSFER OF VOTER REGISTRATION; TO AMEND SECTION 11 (a) OF
11 AMENDMENT 51 TO THE ARKANSAS CONSTITUTION RELATING TO THE
12 CANCELLATION OF REGISTRATION OF VOTERS; AND FOR OTHER
13 PURPOSES."

14
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. Section 10 of Amendment 51 to the Arkansas Constitution is
18 amended to read as follows:

19 "§ 10. Transfer and change of status.

20 (a) Upon a change of legal residence within the county, any registered
21 voter may cause his registration to be transferred to his new address by
22 signing a mailed request to the Permanent Registrar, giving his present
23 address and the address at which he was last registered, or by applying in
24 person at the office of the Permanent Registrar. The Permanent Registrar
25 shall strike through the last address and record the new address of the voter
26 on the original, duplicate and triplicate copies of the Affidavit of
27 Registration and upon the quadruplicate copy if it is presented for that
28 purpose to the Permanent Registrar by the registered voter. If the change of
29 legal residence is made pursuant to Sec. 10 (a), (b) or (c) during the twenty
30 (20) day administrative cut-off period immediately prior to any election
31 scheduled within the county the registered voter shall retain his right to
32 vote in the scheduled election in the precinct from which he just moved. The
33 Permanent Registrar shall make appropriate changes in the precinct
34 registration files as necessitated by such change of address as outlined
35 above.

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1 (b) The Permanent Registrar upon receipt of a notice of a change of
2 legal residence address shall administratively strike through the last address
3 and record the new address of the voter on the original, duplicate and
4 triplicate copies of the Affidavit of Registration and upon the quadruplicate
5 copy if it is presented for that purpose to the Permanent Registrar by the
6 registered voter. The Permanent Registrar within twenty (20) days shall
7 notify all persons whose addresses on their affidavits of registration are to
8 be administratively changed in accordance with Sec. 10 (b). This notice shall
9 be by first class mail giving the person notice of the change of address and
10 polling place and containing the following statement: 'Unless you respond by
11 written request to the Permanent Registrar within ten (10) days of this notice
12 that you are still a qualified voter at the previous address and desire that
13 your voter registration not be changed, your affidavit of registration will
14 reflect the new address *and precinct*.'

15 (c) The Permanent Registrar may administratively cause to be changed
16 the address of persons which appear in the 'National Change of Address' and
17 shall strike through the last address and record the new address of the voter
18 on the original, duplicate and triplicate copies of the Affidavit of
19 Registration and upon the quadruplicate copy if it is presented for that
20 purpose to the Permanent Registrar by the registered voter. The Permanent
21 Registrar shall notify all persons whose addresses on their affidavits of
22 registration are to be administratively changed in accordance with Sec. 10
23 (c). This notice shall be by first class mail giving the person notice of the
24 change of address *and polling place* and containing the following statement:
25 'Unless you respond by written request to the Permanent Registrar within ten
26 (10) days of this notice that you are still a qualified voter at the previous
27 address and desire that your voter registration not be changed, your affidavit
28 of registration will reflect the new address *and precinct*.'

29 (d) Upon a change of legal residence to another county within the
30 State of Arkansas, an eligible voter must register again and shall record his
31 former address in the spaces provided for such purpose in the Affidavit of
32 Registration.

33 (e) Upon a change of name by marriage or otherwise, an eligible voter
34 must register again and shall record his former name in the spaces provided
35 for such purpose in the Affidavit of Registration. [As amended by Acts 1977,
36 No. 882, § 1.]"

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SECTION 2. Section 11 (a) of Amendment 51 to the Arkansas Constitution is hereby 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;

(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;

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

(6) who have been notified pursuant to Sec. 10 that they are ineligible to vote in the county or state due to their change of legal residence and have not notified the Permanent Registrar that they are still a qualified voter at the previous address and desire that their voter registration not be changed."

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All constitutional provisions and laws in conflict with this act are hereby repealed.

/s/D. Wood, et al

