

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1520

4
5 By: Representative Faris
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 7-5-409 PERTAINING TO
10 MATERIALS FURNISHED TO QUALIFIED VOTERS; TO AMEND
11 ARKANSAS CODE 7-5-412 PERTAINING TO THE MARKING AND
12 RETURN OF BALLOTS; AND FOR OTHER PURPOSES."

Subtitle

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15 "AN ACT TO AMEND ARKANSAS CODE 7-5-409
16 PERTAINING TO MATERIALS FURNISHED TO
17 QUALIFIED VOTERS; TO AMEND ARKANSAS CODE
18 7-5-412 PERTAINING TO THE MARKING AND
19 RETURN OF BALLOTS."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 7-5-409(b)(3), one of the items to be
25 furnished to applicants for absentee ballots, is amended to read as follows"

26 "(3) A sealable envelope upon which shall be printed the address of the
27 county clerk and the words: 'ABSENTEE BALLOT, 19, ELECTION' _
28 This envelope shall have a place for the voter's name to be printed and a line
29 across the gummed flap for the voter's signature;"
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31 SECTION 2. Arkansas Code 7-5-412 is amended to read as follows:

32 "7-5-412. Marking and return of ballots - Delivery of mailed ballots.

33 (a) Upon receiving the blank ballot, statement, and envelopes, whether
34 in the office of the county clerk or elsewhere, the voter shall mark the
35 ballot, tear off the lower ballot stub end, and place the ballot in the
36 provided envelope. He shall then seal the envelope containing the ballot and

1 place it with his executed statement and the ballot stub in the other provided
 2 envelope. After sealing the outside envelope, the voter shall print his name
 3 and sign the outside envelope across the sealed flap.

4 (b) The envelope containing ballot, ballot stub, and statement must be
 5 received in the office of the county clerk not later than 7:30 p.m. on the day
 6 of the election.

7 (c) Ballots by mail shall be counted if received no later than the time
 8 the polls close on election day. Ballots received by mail on election day, and
 9 before the polls close, shall be delivered promptly by the county clerk to the
 10 election officials designated to canvass and count absentee ballots.

11 (d) The County Clerk shall verify the voter's signature on the outside
 12 envelope against the voter registration records. If the county clerk is
 13 unable to verify the voter's identity or is unable to verify the signature,
 14 the envelope shall remain sealed and the County Board of Election
 15 Commissioners shall review whether or not to count the ballots. A ballot
 16 shall not be counted if the outside of the envelope does not contain the
 17 voter's signature or verified mark."

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

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

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 29 SECTION 5. All laws and parts of laws in conflict with this act are
 30 hereby repealed.