

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 883

4
5 By: Senator Faris
6
7

For An Act To Be Entitled

8
9 AN ACT AMENDING THE ELECTION LAWS OF THE STATE OF
10 ARKANSAS CONCERNING DESIGNATED BEARERS,
11 AUTHORIZED AGENTS, AND ADMINISTRATORS; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14
15 AN ACT AMENDING THE ELECTION LAWS OF THE
16 STATE OF ARKANSAS CONCERNING DESIGNATED
17 BEARERS, AUTHORIZED AGENTS, AND
18 ADMINISTRATORS.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code Title 7, Chapter 5, Subchapter 4 is amended
24 to add an additional section to read as follows:

25 7-5-419. Designated bearers, authorized agents and administrators.

26 (a)(1) A designated bearer may deliver applications for absentee
27 ballots to the county clerk and obtain absentee ballots from the county clerk
28 for not more than two (2) voters.

29 (2)(A) A designated bearer may deliver to the county clerk the
30 absentee ballots for not more than two (2) voters.

31 (B) The bearer shall be named on the voter statement
32 accompanying the absentee ballot.

33 (3) In order to obtain an absentee ballot from the county clerk:

34 (A) The designated bearer shall show a form of current
35 photographic identification to the clerk;

36 (B) The clerk shall print the bearer's name and address



1 beside the voter's name on a register; and

2 (C) The bearer shall sign the register under oath
 3 indicating receipt of the voter's ballot.

4 (4) Upon delivering an absentee ballot to the clerk:

5 (A) The designated bearer shall present current
 6 photographic identification to the clerk;

7 (B) The clerk shall print the bearer's name and address
 8 beside the voter's name on a register; and

9 (C) The bearer shall sign the register under oath
 10 indicating delivery of the voter's ballot.

11 (b)(1) On the day of an election, an authorized agent may deliver
 12 applications for absentee ballots to the county clerk and obtain absentee
 13 ballots from the county clerk for not more than two (2) voters who cannot
 14 cast a ballot at the appropriate polling place on election day because the
 15 voter is a patient in a hospital or long-term care or residential care
 16 facility licensed by the state.

17 (2)(A) In order for an authorized agent to obtain a ballot from
 18 the county clerk, the authorized agent shall submit to the county clerk an
 19 affidavit of the administrative head of a hospital or long-term care or
 20 residential care facility licensed by the state that the applicant is a
 21 patient of the hospital or long-term care or residential care facilities
 22 licensed by the state and is thereby unable to vote on the election day at
 23 his or her regular polling site.

24 (B) A copy of the affidavit shall be retained by the
 25 county clerk as an attachment to the application for an absentee ballot.

26 (3) In order to obtain an absentee ballot from the county clerk,
 27 the:

28 (A) Authorized agent shall present current photographic
 29 identification to the clerk;

30 (B) Clerk shall print the authorized agent's name and
 31 address beside the voter's name on a register; and

32 (C) Authorized agent shall sign the register under oath
 33 indicating receipt of the voter's ballot.

34 (4) Upon delivering an absentee ballot to the county clerk, the:

35 (A) Authorized agent shall show some form of current
 36 photographic identification to the clerk;

1 (B) Clerk shall print the authorized agent's name and
 2 address beside the voter's name on a register; and

3 (C) Authorized agent shall sign the register under oath
 4 indicating delivery of the voter's ballot.

5 (c)(1) The county clerk shall keep a register of designated bearers
 6 and authorized agents.

7 (2) The designated bearer and authorized agent register shall
 8 contain the following oath on each page: "IF YOU PROVIDE FALSE INFORMATION
 9 ON THIS FORM, YOU MAY BE GUILTY OF PERJURY AND SUBJECT TO A FINE OF UP TO TEN
 10 THOUSAND DOLLARS (\$10,000) OR IMPRISONMENT FOR UP TO TEN YEARS, OR BOTH,
 11 UNDER FEDERAL AND STATE LAWS".

12 (d)(1) An administrator may deliver to the county clerk an application
 13 for an absentee ballot for any voter who is a patient of a long-term care or
 14 residential care facility licensed by the state and who names the
 15 administrator on his or her application as the administrator of the facility
 16 where the voter resides.

17 (2) An administrator may receive absentee ballots for as many
 18 qualified residents of the facility as apply for absentee ballots upon
 19 presentation of photographic identification to the county clerk.

20 (3)(A) An administrator may deliver the absentee ballot to the
 21 county clerk for any voter who names the administrator on his or her
 22 application and voter statement.

23 (B) Absentee ballots may be delivered to the county clerk
 24 in person or by mail.

25 (4) An administrator shall submit to the county clerk an
 26 affidavit, signed and dated by the administrator, stating:

27 (A) That he or she is the administrative head of a long-
 28 term care or residential care facility licensed by the state;

29 (B) The name and address of the facility; and

30 (C) That he or she has been authorized by the voters of
 31 his or her facility who named him or her in their application for absentee
 32 ballot and voter statement to deliver their absentee ballot.

33 (e) Any person who knowingly makes a false statement on an affidavit
 34 required by this section shall be guilty of perjury and subject to a fine of
 35 up to ten thousand dollars (\$10,000) or imprisonment of up to ten (10) years.

36