

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 87th General Assembly
3 Regular Session, 2009

A Bill

SENATE BILL 192

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5 By: Senator Faris
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For An Act To Be Entitled

8
9 AN ACT CONCERNING PENALTIES FOR VIOLATIONS OF
10 ABSENTEE VOTING LAWS; AND FOR OTHER PURPOSES.
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Subtitle

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13 CONCERNING PENALTIES FOR VIOLATIONS OF
14 ABSENTEE VOTING LAWS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 7-5-411 is amended to read as follows:
20 7-5-411. Methods of voting absentee.

21 (a) Absentee voting may be accomplished in one (1) of the following
22 methods and in no other manner:

23 (1)(A) By delivery of the ballot by mail that must be received
24 in the office of the county clerk of the county of residence of the voter not
25 later than 7:30 p.m. on election day.

26 (B)(i) However, except as provided in subdivision
27 (a)(1)(B)(ii) of this section, by ballots applied for not later than thirty
28 (30) days before the election by qualified electors outside the United States
29 on election day that are signed, dated, postmarked, and mailed by the voters
30 no later than the day of the election and received by the county clerk no
31 later than 5:00 p.m. ten (10) calendar days after the date of the election.

32 (ii) The absentee ballots of uniformed services
33 personnel serving in active status shall be counted if received by the county
34 clerk no later than 5:00 p.m. ten (10) calendar days after the date of the
35 election and if the absentee ballots were executed no later than the date of
36 the election.



1 (C) Each absentee ballot shall be mailed separately by the
 2 voter and shall not be included with any other absentee ballot in a bulk
 3 mailing, except that an administrative head of a long-term care or
 4 residential care facility licensed by the State of Arkansas or hospital may
 5 mail the absentee ballots of the residents and patients by bulk mail.
 6 Absentee ballots in any bulk mailing not otherwise permitted in this
 7 subsection shall not be counted;

8 (2) By delivery of the ballot to the county clerk of the county
 9 of residence of the voter not later than 7:30 p.m. on election day by the
 10 designated bearer, administrator, or the authorized agent of the absentee
 11 voter who is medically unable to vote at the regular polling site, upon
 12 proper verification of the signature of the voter by the county clerk and
 13 validation of the identity of the authorized agent; or

14 (3) The voter may deliver the ballot to the county clerk of the
 15 county of his or her residence not later than the close of regular business
 16 hours on the day before the election.

17 (b) Any person to whom an absentee ballot is delivered according to
 18 the precinct voter registration list but who elects to vote by early voting
 19 or to vote at his or her polling site on election day shall be permitted to
 20 cast a provisional ballot.

21 (c) If a person other than a voter or a voter's designated bearer,
 22 authorized agent, or the administrator of a long-term care or residential
 23 care facility licensed by the state knowingly receives or knowingly casts an
 24 absentee ballot in a manner prohibited by § 7-5-409 or this section, he or
 25 she shall be guilty of a Class D felony.

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