

State of Arkansas                      *As Engrossed: S3/28/13 H4/16/13*  
89th General Assembly  
Regular Session, 2013

# A Bill

SENATE BILL 719

By: Senator B. King

## For An Act To Be Entitled

AN ACT TO CREATE THE VOTER INTEGRITY UNIT WITH THE  
SECRETARY OF STATE; TO ENSURE EFFECTIVE AND THOROUGH  
INVESTIGATIONS OF ALLEGED ELECTION MISCONDUCT; TO  
PROTECT THE INTEGRITY OF ELECTIONS; AND FOR OTHER  
PURPOSES.

## Subtitle

TO CREATE THE VOTER INTEGRITY UNIT WITH  
THE SECRETARY OF STATE; TO ENSURE  
EFFECTIVE AND THOROUGH INVESTIGATIONS OF  
ALLEGED ELECTION MISCONDUCT; AND TO  
PROTECT THE INTEGRITY OF ELECTIONS.

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

*SECTION 1. Arkansas Code Title 7, Chapter 1, is amended to add an  
additional section to read as follows:*

*7-1-111. Voter Integrity Unit – Creation.*

*(a) There is created a Voter Integrity Unit.*

*(b) The Voter Integrity Unit shall be composed of four (4) members of  
the staff of the Secretary of State who are designated by the Secretary of  
State, including:*

*(1) The Director of the Elections Division of the Secretary of  
State, or a designee selected by the Secretary of State, to serve as Chairman  
of the Voter Integrity Unit;*

*(2) The General Counsel of the Secretary of State;*

*(3) One (1) employee of the Elections Division of the Secretary  
of State; and*

*(4) One (1) officer of the State Capitol Police.*

*(c) The Voter Integrity Unit shall investigate any complaint of*



1 election irregularity or alleged violation of election law that has been  
2 filed with the State Board of Election Commissioners.

3 (d) The Voter Integrity Unit shall:

4 (1)(A) Conduct an investigation of each complaint of election  
5 irregularity or alleged violation of election law.

6 (B) In the course of an investigation, the Voter Integrity  
7 Unit may:

8 (i) Conduct a hearing;

9 (ii) Use the power of subpoena to compel the:

10 (a) Attendance and testimony of a witness; and  
11 (b) Production of evidence, including without  
12 limitation books, records, or other documents; and

13 (iii) Administer an oath for the purpose of taking  
14 sworn testimony; and

15 (2) Render a report on the result of the investigation to the  
16 Secretary of State.

17 (e) Within thirty (30) calendar days of receiving the report, the  
18 Secretary of State shall present the results of the report to a meeting of  
19 the State Board of Election Commissioners.

20 (f) The State Board of Election Commissioners shall receive the report  
21 and within thirty (30) calendar days from receipt of the report determine an  
22 official response from the board, including without limitation:

23 (1) Dismissal of the complaint of election irregularity or  
24 violation of election law;

25 (2) Issue of a letter of caution to individuals or entities  
26 responsible for election irregularity; or

27 (3) Referral of the instance of alleged election law violation  
28 to:

29 (A) The prosecuting attorney for the jurisdiction in which  
30 the alleged election law violation occurred; or

31 (B) The United States Attorney for the jurisdiction in  
32 which the alleged election law violation occurred.

33 (g) Within sixty (60) calendar days of determining the official  
34 response of the State Board of Election Commissioners to the instance of  
35 election irregularity or alleged violation of election law, the State Board  
36 of Election Commissioners shall submit to the House Committee of State

1 Agencies and Governmental Affairs and the Senate Committee of State Agencies  
2 and Governmental Affairs of the Arkansas General Assembly a report that  
3 includes without limitation the:

4 (1) Name of the complainant or entity filing the complaint of  
5 election irregularity or alleged election law violation;

6 (2) Date the incident is alleged to have occurred;

7 (3) Date of the complaint;

8 (4) Location in which it is alleged that the incident occurred;

9 (5) Detailed explanation of the complaint of election  
10 irregularity or alleged election law violation;

11 (6) Report of the Voter Integrity Unit to the Secretary of  
12 State; and

13 (7) Resolution report of the State Board of Election  
14 Commissioners, including:

15 (A) Minutes of the State Board of Election Commissioners'  
16 meeting on the report of the Voter Integrity Unit;

17 (B) Determination of the State Board of Election  
18 Commissioners regarding disposition of the complaint of election irregularity  
19 or alleged election law violation; and

20 (C) Copies of any referrals to prosecutors or United  
21 States Attorneys.

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24 /s/B. King  
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