

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

HJR 1016

4
5 By: Representatives Lundstrum, Ballinger, Bentley, Brown, Capp, Collins, Cozart, Dalby, Davis,
6 Deffenbaugh, Della Rosa, C. Douglas, Drown, Eaves, Farrer, C. Fite, L. Fite, Gates, M. Gray, Hammer,
7 Hollowell, Jean, Ladyman, Lynch, Maddox, A. Mayberry, McCollum, Miller, Payton, Penzo, Pilkington,
8 Rushing, Rye, B. Smith, Sorvillo, Tosh, Vaught, J. Williams
9 By: Senators B. King, Collins-Smith, L. Eads, J. English, Files, Flippo, J. Hendren, Hester, B. Johnson,
10 Rapert, G. Stubblefield, D. Wallace

11
12 **HOUSE JOINT RESOLUTION**

13 AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING
14 THE PRESENTATION OF VALID PHOTOGRAPHIC IDENTIFICATION
15 WHEN VOTING; REQUIRING THAT A VOTER PRESENT VALID
16 PHOTOGRAPHIC IDENTIFICATION WHEN VOTING IN PERSON OR
17 WHEN CASTING AN ABSENTEE BALLOT; AND PROVIDING THAT
18 THE STATE OF ARKANSAS ISSUE PHOTOGRAPHIC
19 IDENTIFICATION AT NO CHARGE TO ELIGIBLE VOTERS
20 LACKING PHOTOGRAPHIC IDENTIFICATION.

21
22
23 **Subtitle**

24 AN AMENDMENT TO THE ARKANSAS CONSTITUTION
25 CONCERNING VOTER IDENTIFICATION WHEN
26 CASTING A BALLOT.

27
28
29 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL
30 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL
31 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

32
33 That the following is proposed as an amendment to the Constitution of
34 the State of Arkansas, and upon being submitted to the electors of the state
35 for approval or rejection at the next general election for Representatives
36 and Senators, if a majority of the electors voting thereon at the election



1 adopt the amendment, the amendment shall become a part of the Constitution of
2 the State of Arkansas, to wit:

3
4 SECTION 1. Arkansas Constitution, Article 3, § 1, is amended to read
5 as follows:

6 § 1. Qualifications of electors.

7 (a) Except as otherwise provided by this Constitution, any person may
8 vote in an election in this state who is:

9 (1) A citizen of the United States;

10 (2) A resident of the State of Arkansas;

11 (3) At least eighteen (18) years of age; and

12 (4) Lawfully registered to vote in the election.

13 (b)(1) In addition to the qualifications under subsection (a) of this
14 section, the General Assembly shall provide by law that a voter shall:

15 (A) Present valid photographic identification before
16 receiving a ballot to vote in person; and

17 (B) Enclose a copy of valid photographic identification
18 with his or her ballot when voting by absentee ballot.

19 (2) The General Assembly shall establish by law the types of
20 photographic identification that a person may present to comply with
21 subdivision (b)(1) of this section.

22 (c) The State of Arkansas shall issue photographic identification at
23 no charge to an eligible voter who does not have a form of photographic
24 identification meeting the requirements of the law enacted by the General
25 Assembly under this section.

26 (d)(1)(A) A voter unable to present valid photographic identification
27 when voting in person shall be permitted to vote a provisional ballot.

28 (B) An absentee ballot that is not accompanied by a copy
29 of valid photographic identification shall be considered a provisional
30 ballot.

31 (2) A provisional ballot under subdivision (d)(1) of this
32 section shall be counted only if the voter subsequently certifies the
33 provisional ballot in a manner provided by law.

34 (e)(1) The General Assembly shall implement the provisions of this
35 amendment by law.

36 (2) The General Assembly may provide by law for exceptions to

1 the requirement that a voter:

2 (A) Present valid photographic identification before
3 receiving a ballot to vote in person; and

4 (B) Enclose a copy of valid photographic identification
5 with his or her ballot when voting by absentee ballot.

6 (f) A voter meeting the requirements of this section also shall comply
7 with all additional laws regulating elections necessary for his or her vote
8 to be counted.

9
10 SECTION 2. BALLOT TITLE AND POPULAR NAME. When this proposed
11 amendment is submitted to the electors of this state on the general election
12 ballot:

13 (1) The title of this joint resolution shall be the ballot
14 title; and

15 (2) The popular name shall be "A Constitutional Amendment Adding
16 as a Qualification to Vote that a Voter Present Certain Valid Photographic
17 Identification When Casting a Ballot In Person or Casting an Absentee
18 Ballot."