

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1388

5 By: Representatives Gonzales, Boyd
6 By: Senator M. Pitsch
7

For An Act To Be Entitled

9 AN ACT TO ENSURE REGISTERED VOTERS ARE UNITED STATES
10 CITIZENS; TO CREATE A PROCESS FOR TRANSFER OF
11 INFORMATION FROM THE JUDICIARY TO THE VOTER
12 REGISTRATION OFFICIALS; TO AMEND AMENDMENT 51 OF THE
13 ARKANSAS CONSTITUTION; AND FOR OTHER PURPOSES.
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Subtitle

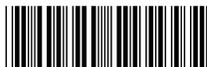
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16 TO ENSURE REGISTERED VOTERS ARE UNITED
17 STATES CITIZENS; TO CREATE A PROCESS FOR
18 TRANSFER OF INFORMATION FROM THE
19 JUDICIARY TO THE VOTER REGISTRATION
20 OFFICIALS; AND TO AMEND AMENDMENT 51 OF
21 THE ARKANSAS CONSTITUTION.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Under the authority permitted under § 19 of Amendment 51 of
28 the Arkansas Constitution, Arkansas Constitution, Amendment 51, § 11(e)-(g),
29 concerning cancellation of voter registration, are amended to read as
30 follows:

31 (e)(1)(A) If a circuit court dismisses a juror from service due to
32 lack of citizenship in the United States, the circuit court shall issue an
33 order dismissing the juror stating the juror's identity, the fact of
34 dismissal, and the reason for dismissal.

35 (B) The circuit clerk shall forward the order of dismissal
36 to the permanent registrar of the county in which the court is located.



1 (C) After receiving the order from the circuit court, the
2 permanent registrar shall promptly cancel the dismissed juror's voter
3 registration, update the voter registry, and send the dismissed juror notice
4 under subsection (f) of this section.

5 (2)(A) It is the duty of any person whose registration has been
6 cancelled under subsection (e) of this section to provide the permanent
7 registrar with proof from the appropriate federal, state, or local agency
8 that he or she is a citizen of the United States.

9 (B) Upon complying with subdivision (e)(2)(A) of this
10 section the person shall be deemed eligible to vote and the permanent
11 registrar shall add the citizen to the voter registry upon the citizen's
12 application for voter registration.

13 (f) Within ten (10) days following the receipt or possession of
14 information requiring any cancellation of registration, other than under
15 section 11(a)(1) of this amendment, the permanent registrar shall cancel the
16 registration, note the date of the cancellation, the reason for the
17 cancellation, and the person cancelling the registration.

18 ~~(f)(1)~~(g)(1) The permanent registrar shall, thirty (30) days before
19 cancellation, notify all persons whose registration records are to be
20 cancelled in accordance with section 11(a)(1) of this amendment. The notice
21 may be either by publication or by first class mail. The notice by mail shall
22 be as follows:

23 “NOTICE OF IMPENDING CANCELLATION OF VOTER REGISTRATION.

24 According to our records you have not responded to our address
25 confirmation notice and you have not voted in any election during the period
26 beginning on the date of the notice and ending on the day after the date of
27 the second general election for federal office after the date of the first
28 notice. This may indicate that you no longer live at the residence address
29 printed on the postcard. If your permanent residence address is still the
30 same as the printed address on this postcard YOU MUST CONFIRM YOUR RESIDENCE
31 ADDRESS in order to remain on the voter registration list. If you do not
32 return the attached postcard within thirty (30) days after the date
33 postmarked on this card YOUR REGISTRATION WILL BE CANCELLED and you will have
34 to re-register to vote.”

35 (2) When, in response to the notice, a qualified voter requests
36 the permanent registrar not to cancel the voter registration, the voter

1 registration shall not be cancelled under section 11(a)(1) of this amendment.

2 ~~(g)~~(h) The permanent registrar is authorized, and may be directed by
 3 the county board of registration, to determine by mail check, house to house
 4 canvass, or any other reasonable means at any time within the whole or any
 5 part of the county whether active record registration files contain the names
 6 of any persons not qualified by law to vote. Further, upon application based
 7 upon affidavits of one (1) or more qualified voters by the prosecuting
 8 attorney for the county, the circuit judge of the county, for good cause
 9 shown, may order the permanent registrar to make sure determination or to
 10 cancel the registration of such unqualified persons.

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