

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023

A Bill

HOUSE BILL 1411

4
5 By: Representatives McAlindon, Wing, Achor, Andrews, Barker, Beaty Jr., Beck, Bentley, M. Berry,
6 Breaux, Brooks, K. Brown, M. Brown, Burkes, Joey Carr, C. Cooper, Cozart, Evans, C. Fite, L. Fite,
7 Fortner, Furman, Gazaway, Gonzales, Gramlich, Haak, Hawk, Hollowell, Jean, Ladyman, Long,
8 Lundstrum, Lynch, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S. Meeks,
9 Miller, Milligan, K. Moore, Painter, Pearce, Pilkington, Puryear, R. Scott Richardson, Richmond, Rose,
10 Rye, Schulz, Steimel, Tosh, Underwood, Vaught, Womack, Wooldridge, Wooten
11 By: Senators Stone, K. Hammer, Crowell, Dees, M. McKee, J. Petty

For An Act To Be Entitled

12
13
14 AN ACT TO AMEND THE PROHIBITION ON THE DELIVERY OF
15 UNSOLICITED ABSENTEE BALLOT APPLICATIONS TO ELECTORS;
16 TO AMEND THE LAW CONCERNING ABSENTEE BALLOTS; TO
17 AMEND THE LAW CONCERNING MATERIALS FURNISHED TO
18 QUALIFIED VOTERS WITH ABSENTEE BALLOTS; AND FOR OTHER
19 PURPOSES.

Subtitle

20
21
22
23 TO AMEND THE PROHIBITION ON THE DELIVERY
24 OF UNSOLICITED ABSENTEE BALLOT
25 APPLICATIONS TO ELECTORS; AND TO AMEND
26 THE LAW CONCERNING ABSENTEE BALLOTS.

27
28
29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

30
31 SECTION 1. Arkansas Code § 7-5-404(a)(1), concerning applications for
32 absentee ballots, is amended to read as follows:

33 (a)(1)(A) Applications for absentee ballots shall be delivered to an
34 applicant with the voter statement blank.

35 (B) Applications for absentee ballots ~~must~~ shall be signed
36 by the applicant and verified by the county clerk by checking the voter's



1 name, address, date of birth, and signature from the voter registration
 2 application unless the application is sent by electronic means.

3 ~~(B)~~ (C) If the application is sent by electronic means, the
 4 application ~~must~~ shall bear a verifiable facsimile of the applicant's
 5 signature.

6 (D) If an applicant is given assistance filling out an
 7 application for an absentee ballot, the person giving assistance to the
 8 applicant shall provide his or her name, address, and signature on the
 9 application.

10
 11 SECTION 2. Arkansas Code § 7-5-405(a)(2), concerning the application
 12 form for absentee ballots, is amended to add an additional subdivision to
 13 read as follows:

14 (I) A statement indicating whether the voter has received
 15 assistance filling out the application for an absentee ballot, and the name
 16 address, and signature of the person providing assistance.

17
 18 SECTION 3. Arkansas Code § 7-5-409(d), concerning materials furnished
 19 to qualified voters, is amended to read as follows:

20 (d) The county clerk shall not deliver an absentee ballot to any
 21 person other than the absentee voter unless the person picking up the ballot
 22 ~~provides current and valid photographic identification to the county clerk~~
 23 ~~that he or she is:~~

24 (1) Is either:

25 (A) The voter's:

26 ~~(A)(i)~~ Designated bearer; or

27 ~~(B)(ii)~~ Authorized agent; or

28 ~~(2)(B)~~ The administrator of a long-term care or
 29 residential care facility licensed by the state in which the voter resides;
 30 and

31 (2) Provides to the county clerk a current and valid federal-
 32 issued or state-issued document or identification card that includes his or
 33 her name and photograph.

34
 35 SECTION 4. Arkansas Code § 7-5-409, concerning materials furnished to
 36 qualified voters, is amended to add an additional subsection to read as

1 follows:

2 (j) A person who purposely violates subsection (h) of this section
3 upon conviction shall be guilty of a Class A misdemeanor.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36