

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

A Bill

HOUSE BILL 1461

4
5 By: Representatives Ladyman, 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, Long, Lundstrum, Lynch,
8 McAlindon, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S. Meeks, Miller,
9 Milligan, K. Moore, Pilkington, Puryear, R. Scott Richardson, Richmond, Rose, Rye, Tosh, Underwood,
10 Vaught, Womack, Wooten

11 By: Senators J. Petty, K. Hammer, Dees, M. McKee, Stone

For An Act To Be Entitled

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14 AN ACT TO REQUIRE LEGISLATIVE REVIEW OF NEW FEDERAL
15 ELECTION GUIDANCE; TO AMEND THE DUTIES OF THE
16 SECRETARY OF STATE; AND FOR OTHER PURPOSES.

Subtitle

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20 TO REQUIRE LEGISLATIVE REVIEW OF NEW
21 FEDERAL ELECTION GUIDANCE; AND TO AMEND
22 THE DUTIES OF THE SECRETARY OF STATE.

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

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

29 7-1-115. Legislative review of new federal election guidance – Purpose
30 – Definition.

31 (a) The purpose of this section is to ensure that the General Assembly
32 has the opportunity to:

33 (1) Be informed of new federal election guidance; and

34 (2) Research the interaction between the new federal election
35 guidance and state law.

36 (b) As used in this section “new federal election guidance” means any



1 federal directive, guidance, written communication, or verbal communication
2 pertaining to elections, including without limitation:

3 (1) Time, place, and manner suggestions for carrying out an
4 election in the state;

5 (2) A potential violation of federal election law; and

6 (3) Guidance issued by the United States Department of Justice
7 or any other federal executive agency related to new or existing voting or
8 election laws.

9 (c) All state and county election officials shall submit all new
10 federal election guidance to the office of the Secretary of State within two
11 (2) business days of receipt of the new federal election guidance.

12 (d) The office of the Secretary of State shall:

13 (1) Be the custodian of all new federal election guidance
14 concerning an election conducted in the state;

15 (2) Prepare a report of all new federal election guidance to be
16 submitted to the Joint Performance Review Committee by September 1 of each
17 year; and

18 (3)(A) Compile from the following persons or entities all new
19 federal election guidance concerning elections in the state given by the
20 United States Department of Justice or any other federal executive agency:

21 (i) County boards of election commissioners;

22 (ii) County election officials;

23 (iii) The State Board of Election Commissioners; and

24 (iv) Employees of the Secretary of State's office.

25 (B) Information required under subdivision (d)(3)(A) of
26 this section shall include new federal election guidance concerning elections
27 transmitted through:

28 (i) Telephonic or electronic means;

29 (ii) The mail; or

30 (iii) In-person contact.

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