

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4
5 By: Senator C. Tucker
6

A Bill

SENATE BILL 233

For An Act To Be Entitled

8 AN ACT TO CLARIFY THE LENGTH OF TIME FOR WHICH AN
9 APPLICATION FOR AN ABSENTEE BALLOT IS EFFECTIVE;
10 AMEND THE LAW CONCERNING ABSENTEE BALLOT
11 APPLICATIONS; TO AMEND THE LAW CONCERNING VOTING BY
12 ABSENTEE BALLOT; AND FOR OTHER PURPOSES.

Subtitle

16 TO CLARIFY THE LENGTH OF TIME FOR WHICH
17 AN APPLICATION FOR AN ABSENTEE BALLOT IS
18 EFFECTIVE; TO AMEND THE LAW CONCERNING
19 ABSENTEE BALLOT APPLICATIONS; AND TO
20 AMEND THE LAW CONCERNING VOTING BY
21 ABSENTEE BALLOT.

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

25
26 SECTION 1. Arkansas Code § 7-5-404(b)(2), concerning applications for
27 absentee ballots, is amended to read as follows:

28 ~~(2)(A) For those persons voting by absentee ballot who reside~~
29 ~~outside the county in which they are registered to vote, the application~~
30 ~~shall remain in effect for one (1) year unless revoked by the voter, and the~~
31 ~~county clerk shall thereafter automatically mail no later than twenty five~~
32 ~~(25) days before each election an absentee ballot for each election.;~~

33 (A) Unless otherwise provided by the applicant in
34 subdivision (b)(2)(C) of this section, the application shall be valid for
35 only one (1) election cycle;

36 (B) The election cycle shall include any one (1) election



1 and the corresponding runoff election, if any;

2 (C) The Secretary of State shall include an option, which
3 the applicant may select, that the application shall remain in effect for one
4 (1) year, unless later revoked by the voter;

5 (D) The Secretary of State shall include language in the
6 application explaining that the application applies to one (1) election and
7 the corresponding runoff election, unless the option provided under
8 subdivision (b)(2)(C) of this section, is selected by the applicant, in which
9 case the application will remain in effect for one (1) year; and

10 (E)(i) The county clerk shall automatically mail to the
11 voter no later than twenty-five (25) days before each election an absentee
12 ballot for the election and no later than ten (10) days before the
13 corresponding runoff election, if any, for which the voter submitted an
14 application for an absentee ballot, unless the voter selected the option
15 provided under subdivision (b)(2)(C) of this section, in which case the
16 county clerk shall automatically mail to the voter no later than twenty-five
17 (25) days before each election an absentee ballot for each election and ten
18 (10) days before a corresponding runoff election, if any, held during the
19 applicable one-year period.

20 (ii) For a voter residing in a long-term care or
21 residential care facility licensed by the state, the administrator of the
22 facility may receive the absentee ballot on behalf of the voter for an
23 election if, before the county clerk has mailed the ballot, the administrator
24 has presented an absentee ballot request from the voter authorizing the
25 administrator to receive the absentee ballot on behalf of the voter for that
26 election.

27 ~~(B)(i) For those persons voting by absentee ballot who~~
28 ~~reside within the county in which they are registered to vote, the~~
29 ~~application shall be valid for only one (1) election cycle.~~

30 ~~(ii) The election cycle shall include any one (1)~~
31 ~~election and the corresponding runoff election.~~

32 ~~(C)(i) For a voter residing in a long-term care or~~
33 ~~residential care facility licensed by the state the application shall remain~~
34 ~~in effect for one (1) calendar year unless withdrawn by the voter.~~

35 ~~(ii) The county clerk automatically shall mail no~~
36 ~~later than twenty five (25) days before each election an absentee ballot for~~

1 ~~each election unless, before mailing, the administrator of the facility has~~
2 ~~presented an absentee ballot request from the voter authorizing the~~
3 ~~administrator to receive the absentee ballot on behalf of the voter for that~~
4 ~~election.~~

5 ~~(D)(i) For a voter with a disability as defined in § 7-5-~~
6 ~~311, the application shall remain in effect for one (1) calendar year unless~~
7 ~~withdrawn by the voter.~~

8 ~~(ii) The county clerk automatically shall mail no~~
9 ~~later than twenty five (25) days before each election an absentee ballot for~~
10 ~~each election.~~

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