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

A Bill

SENATE BILL 435

5   By: Senator A. Clark
6   By: Representatives Hawk, Bentley

8   ## For An Act To Be Entitled
9   AN ACT TO AMEND ARKANSAS LAW TO ALLOW A VOTER
10   APPEARING IN PERSON TO REQUEST A PAPER BALLOT; AND
11   FOR OTHER PURPOSES.

14   ## Subtitle
15   TO AMEND ARKANSAS LAW TO ALLOW A VOTER
16   APPEARING IN PERSON TO REQUEST A PAPER
17   BALLOT.

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

22   SECTION 1. Arkansas Code Title 7, Chapter 5, Subchapter 6, is amended
23   to add an additional section to read as follows:
24   7-5-617. Right to request paper ballot.
25   (a) A voter appearing to vote in person is entitled to cast his or her
26   vote on a paper ballot, which shall be handled and counted as provided in
27   this subchapter.
28   (b)(1) The county clerk, election official, or poll worker shall
29   provide a voter with a paper ballot upon the request of the voter.
30   (2) A voter who requests a paper ballot under this section shall
31   not be refused a paper ballot for any reason.
32   (c)(1) A person who negligently violates the provisions of this
33   section by refusing to provide a paper ballot to a voter upon request shall:
34   (A) Be guilty of a Class C misdemeanor;
35   (B) Be considered to have committed an infamous crime as
36   defined under § 7-1-101; and

1   (C) Not be permitted to serve as an election official at

2 subsequent elections.

3   (2) It is a defense to prosecution for a poll worker under

4 subdivision (c)(1) of this section that the County Board of Election

5 Commissioners or the county clerk did not provide sufficient paper ballots

6 for the poll worker to provide a paper ballot to a voter upon request.

7   (d)(1) A person who purposely violates the provisions of this section

8 by refusing to provide a paper ballot to a voter upon request shall:

9   (A) Be guilty of a Class A misdemeanor;

10   (B) Be considered to have committed an infamous crime as

11 defined under § 7-1-101; and

12   (C) Not be permitted to serve as an election official at

13 subsequent elections.

14   (2) It is a defense to prosecution for a poll worker under

15 subdivision (d)(1) of this section that the County Board of Election

16 Commissioners or the county clerk did not provide sufficient paper ballots

17 for the poll worker to provide a paper ballot to a voter upon request.

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