

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

A Bill

HOUSE BILL 1667

5 By: Representative Brown
6

For An Act To Be Entitled

8 AN ACT CONCERNING ABSENTEE BALLOTS AND ADMINISTRATORS
9 OF LONG-TERM CARE OR RESIDENTIAL CARE FACILITIES
10 LICENSED BY THE STATE; TO REQUIRE THE SECRETARY OF
11 STATE TO CREATE A PROGRAM TO EDUCATE ADMINISTRATORS
12 ABOUT CERTAIN ABSENTEE VOTING PROCEDURES; AND FOR
13 OTHER PURPOSES.
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Subtitle

16 TO REQUIRE THE SECRETARY OF STATE TO
17 CREATE A PROGRAM TO EDUCATE
18 ADMINISTRATORS OF LONG-TERM CARE OR
19 RESIDENTIAL CARE FACILITIES ABOUT CERTAIN
20 ABSENTEE VOTING PROCEDURES.
21
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23

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

26 SECTION 1. Arkansas Code § 7-5-403(d), concerning requirements for
27 administrators to obtain and deliver absentee ballots, is amended to to read
28 as follows:

29 (d)(1)(A) An administrator who has completed the program and passed
30 the examination under subdivision (d)(7) of this section may deliver to the
31 county clerk an application for an absentee ballot for any voter who is a
32 patient of a long-term care or residential care facility licensed by the
33 state and who authorizes the administrator to obtain an absentee ballot on
34 his or her behalf.

35 (B) The absentee ballot application shall identify the
36 administrator by name as the administrator of the facility where the voter



1 resides.

2 (2) Upon presentation of photographic identification to the
 3 county clerk, an administrator may receive absentee ballots for as many
 4 qualified residents of the facility as:

- 5 (A) Apply for absentee ballots; and
- 6 (B) Identify the administrator in the voter's absentee
 7 ballot application.

8 (3)(A) An administrator may deliver the absentee ballot to the
 9 county clerk for any voter who names the administrator on his or her
 10 application and voter statement.

11 (B) Absentee ballots may be delivered to the county clerk
 12 in person by the administrator or by mail.

13 (4) Before obtaining an absentee ballot, an administrator shall
 14 submit to the county clerk an affidavit on the form prescribed by the
 15 Secretary of State, signed and dated by the administrator, ~~stating:~~

16 (A) ~~That~~ Stating that he or she is the administrative head
 17 of a long-term care or residential care facility licensed by the state;

18 (B) ~~The~~ Stating the name and address of the facility;

19 (C) ~~That~~ Stating that he or she has been authorized by the
 20 voters who reside in his or her facility to obtain from the county clerk and
 21 return to the county clerk absentee ballots on their behalf; ~~and~~

22 (D) ~~That~~ Stating that each of the voters for whom the
 23 administrator seeks to obtain an absentee ballot has named the administrator
 24 on his or her application; ~~and~~

25 (E) Including the following attestation:

26 "I ACKNOWLEDGE THAT UNDER ARKANSAS LAW ANY MARK MADE
 27 BY ME ON THE ABSENTEE BALLOT OF A VOTER WHO RESIDES
 28 IN MY LONG-TERM CARE FACILITY OR RESIDENTIAL NURSING
 29 FACILITY HAS BEEN MADE AT THE REQUEST OF THE VOTER,
 30 IS LIMITED TO ONLY AN INDICATION OF THE VOTER'S
 31 CHOICE, AND HAS BEEN MADE WITHOUT COMMENT OR
 32 INTERPRETATION BY ME."

33 (5) The county clerk shall attach a copy of the administrator's
 34 affidavit to each application for an absentee ballot delivered by the
 35 administrator to the county clerk.

36 (6) When the ballots are returned by the administrator in person

1 or by mail, the county clerk shall write or stamp the word "ADMINISTRATOR"
2 and write the administrator's name on the voter's absentee ballot return
3 envelope.

4 (7)(A) The Secretary of State shall create a:

5 (i) Program to educate administrators who handle
6 absentee ballots under subsection (d) of this section about absentee voting
7 procedures and voter fraud prevention; and

8 (ii) Examination designed to test the sufficiency of
9 the administrator's knowledge concerning absentee voting procedures and voter
10 fraud prevention.

11 (B) The Secretary of State may create the program and
12 administer the examination by online electronic means.

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14 SECTION 2. EFFECTIVE DATE. This act is effective on and after January
15 1, 2020.