

Stricken language would be deleted from and underlined language would be added to present law.
Act 980 of the Regular Session

1 State of Arkansas *As Engrossed: H3/30/21 S4/7/21*
2 93rd General Assembly **A Bill**
3 Regular Session, 2021

HOUSE BILL 1777

4
5 By: Representatives Clowney, Eaves, M. Gray, Vaught, Wardlaw, *Dotson*
6 *By: Senators B. Davis, Hester*
7

8 **For An Act To Be Entitled**

9 AN ACT TO PROTECT DOMESTIC VIOLENCE *VICTIMS’ VOTER*
10 REGISTRATION INFORMATION; TO AMEND THE DUTIES OF THE
11 SECRETARY OF STATE; TO AMEND ARKANSAS ELECTION
12 PROCEDURE; AND FOR OTHER PURPOSES.
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15 **Subtitle**

16 *TO PROTECT DOMESTIC VIOLENCE VICTIMS’*
17 *VOTER REGISTRATION INFORMATION; TO AMEND*
18 *THE DUTIES OF THE SECRETARY OF STATE; AND*
19 *TO AMEND ARKANSAS ELECTION PROCEDURE.*
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 7-5-109(a), concerning computerized voter
25 registration lists, is amended to read as follows:

26 (a)(1) The county clerks of the several counties of the state may
27 reproduce the registered voter list maintained by the county clerk in any
28 format that the office of the county clerk is capable of providing.

29 (2) The county clerks of the several counties of the state shall
30 not reproduce any address of a secure voter in any format unless otherwise
31 authorized by law.
32

33 SECTION 2. Arkansas Code § 7-5-109(c), concerning computerized voter
34 registration lists, is amended to read as follows:

35 (c)(1)(A) Upon request every county clerk who maintains on computer
36 the list of registered voters within the county shall provide the list on



1 compact disc or other electronic medium, except the address of registered
2 voters whose information is contained as a secure voter.

3 (B) The list of registered voters, excluding the address
4 of registered voters listed as secure voters, shall include at least the
5 names, addresses, and precinct numbers of the voters.

6 (2)(A) The fee for a list of registered voters, excluding the
7 address of registered voters listed as secure voters, on compact disc or
8 other electronic medium, of one (1) to five thousand (5,000) registered
9 voters may be up to ten dollars (\$10.00).

10 (B) The fee for a list of registered voters, excluding the
11 address of registered voters listed as secure voters, on compact disc or
12 other electronic medium, of five thousand one (5,001) to twenty-five thousand
13 (25,000) registered voters may be up to twenty-five dollars (\$25.00).

14 (C) The fee for a list of registered voters, excluding the
15 address of registered voters listed as secure voters, on compact disc or
16 other electronic medium, of more than twenty-five thousand (25,000)
17 registered voters may be up to fifty dollars (\$50.00).

18 (3) If a printed list of registered voters, excluding the
19 address of registered voters listed as secure voters, is requested, the cost
20 of the list may be no more than two cents (2¢) per name and address.

21
22 SECTION 3. Arkansas Code § 7-5-110 is amended to read as follows:

23 7-5-110. Registration lists for each ballot combination.

24 In any precinct with more than one (1) ballot combination, the county
25 clerk shall prepare precinct voter registration lists of registered voters,
26 excluding the address of registered voters listed as secure voters, that
27 identify the district, subdistrict, county, municipality, ward, and school
28 zone in which each voter is qualified to vote.

29
30 SECTION 4. Arkansas Code Title 7, Chapter 5, Subchapter 1, is amended
31 to add an additional section to read as follows:

32 7-5-112. Secure voter registration for domestic violence victims.

33 (a) A registered voter who is a victim of domestic violence may
34 request secure voter status for his or her voter registration information.

35 (b) A registered voter designated as a secure voter is required to
36 comply with all voter identification requirements when casting a ballot.

1 (c) Any address information for a secure voter is confidential and is
2 not a public record under the Freedom of Information Act of 1967, § 25-19-101
3 et seq.

4 (d) The Secretary of State shall promulgate rules in accordance with
5 the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to implement
6 the process by which a registered voter who is the victim of domestic
7 violence may request secure voter status from the county clerks, including
8 without limitation the:

9 (1) Administrative process a county clerk shall use to verify
10 eligibility for secure voter status;

11 (2) Documentation required for domestic violence victims to be
12 approved for secure voter status;

13 (3) Format in which the county clerk shall maintain any address
14 of all registered voters listed on the voter registration roll when the
15 registered voter has a secure voter status; and

16 (4) Process for complying with a post-election challenge
17 involving a secure voter.

18 (e) As used in §§ 7-5-109 and 7-5-110 and this section, "secure voter"
19 means a registered voter who requests to have his or her address or addresses
20 protected from public release and is a domestic violence victim who:

21 (1) Is the victim of any offense under § 5-26-301 et seq. as
22 adjudicated by a court;

23 (2) Has been granted an order of protection under the Domestic
24 Abuse Act of 1991, § 9-15-101 et seq.; or

25 (3) Is recognized as a victim of domestic violence in any court
26 order or ruling.

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28 SECTION 5. TEMPORARY LANGUAGE. DO NOT CODIFY. Promulgation of rules.

29 (a) When adopting the initial rules to implement this act, the final
30 rules shall be filed with the Secretary of State for adoption under § 25-15-
31 204(f):

32 (1) On or before January 1, 2022; or

33 (2) If approval under § 10-3-309 has not occurred by January 1,
34 2022, as soon as practicable after approval under § 10-3-309.

35 (b) The Secretary of State shall file the proposed rule with the
36 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,

1 2022, so that the Legislative Council may consider the rule for approval
2 before January 1, 2022.

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/s/Clowney

APPROVED: 4/28/21