

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

SENATE BILL 188

4
5 By: Senator A. Clark
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING POLLING PLACES; TO
9 AMEND THE LAW CONCERNING ELECTIONEERING; AND FOR
10 OTHER PURPOSES.
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Subtitle

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14 TO AMEND THE LAW CONCERNING POLLING
15 PLACES; AND TO AMEND THE LAW CONCERNING
16 ELECTIONEERING.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 7, Chapter 1, Subchapter 1, is amended
22 to add an additional section to read as follows:

23 7-1-115. Use of property as a polling place.

24 (a)(1) As used in this section, "electioneering" means the display of
25 or audible dissemination of information that advocates for or against any
26 candidate, issue, or measure on a ballot.

27 (2) "Electioneering" includes without limitation the following:

28 (A) Handing out, distributing, or offering to hand out or
29 distribute campaign literature or literature regarding a candidate, issue, or
30 measure on the ballot;

31 (B) Soliciting signatures on a petition;

32 (C) Soliciting contributions for a charitable or other
33 purpose;

34 (D) Displaying a candidate's name, likeness, or logo;

35 (E) Displaying a ballot measure's number, title, subject,
36 or logo;



1 (F) Displaying or dissemination of buttons, hats, pencils,
2 pens, shirts, signs, or stickers containing electioneering information; and

3 (G) Disseminating audible electioneering information.

4 (3) "Electioneering" does not include:

5 (A) The presentation of a candidate's identification by
6 the candidate under Arkansas Constitution, Amendment 51, § 13; or

7 (B) The display of a ballot measure in the polling place
8 as required under § 7-5-202;

9 (b) If private property is selected by the county board of election
10 commissioners to be a polling site, the entire area of ownership of the
11 private property shall be designated as a polling site, including without
12 limitation all parking areas and areas adjacent to roadways.

13 (c) Private property used as a polling site shall not restrict
14 electioneering on the property on election day or any day on which early
15 voting is allowed, except:

16 (1) Electioneering shall not be allowed:

17 (A) In a building in which voting is taking place;

18 (B) Within one hundred feet (100') of the primary exterior
19 entrance used by voters to a building in which voting is taking place; or

20 (C) With persons standing in line to vote; and

21 (2) A private property owner may restrict electioneering
22 activities that create or cause permanent damage to the private property,
23 including without limitation:

24 (A) The display of electioneering materials installed with
25 a permanent material, including concrete; and

26 (B) The use of paint on any portion of the private
27 property.

28 (d) A public building to be used as a polling site shall not restrict
29 electioneering on the property, including all parking areas, on election day
30 or any day on which early voting is allowed, except electioneering shall not
31 be allowed:

32 (1) In a building in which voting is taking place;

33 (2) Within one hundred feet (100') of the primary exterior
34 entrance used by voters to a building in which voting is taking place; or

35 (3) With persons standing in line to vote.

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