

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 620

5 By: Senator A. Clark  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING ELECTIONEERING ON PRIVATE PROPERTY  
9 USED AS A POLLING PLACE; TO AMEND THE LAW CONCERNING  
10 POLLING PLACES; TO AMEND THE LAW CONCERNING  
11 ELECTIONEERING; AND FOR OTHER PURPOSES.  
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## Subtitle

15 CONCERNING ELECTIONEERING ON PRIVATE  
16 PROPERTY USED AS A POLLING PLACE; TO  
17 AMEND THE LAW CONCERNING POLLING PLACES;  
18 AND TO AMEND THE LAW CONCERNING  
19 ELECTIONEERING.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code Title 7, Chapter 1, Subchapter 1, is amended  
25 to add an additional section to read as follows:

26 7-1-115. Use of property as a polling place.

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

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

31 (A) Handing out, distributing, or offering to hand out or  
32 distribute campaign literature or literature regarding a candidate, issue, or  
33 measure on the ballot;

34 (B) Soliciting signatures on a petition;

35 (C) Soliciting contributions for a charitable or other  
36 purpose;



1 (D) Displaying a candidate’s name, likeness, or logo;

2 (E) Displaying a ballot measure’s number, title, subject,  
3 or logo;

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

6 (G) Disseminating audible electioneering information.

7 (3) “Electioneering” does not include:

8 (A) The presentation of a candidate’s identification by  
9 the candidate under Arkansas Constitution, Amendment 51, § 13; or

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

12 (b) A county board of election commissioners shall ensure all  
13 agreements with private property owners to use private property as a polling  
14 site are consistent across the county.

15 (c) A county board of election commissioners may select private  
16 property to be a polling site if a private property owner agrees that:

17 (1) The private property shall be designated as a polling site,  
18 including all parking areas, a reasonable area adjacent to a parking area,  
19 and all areas adjacent to roadways;

20 (A) If the private property is a leased premises, the  
21 entire area of the leased premises and a reasonable amount of the shared  
22 parking area shall be designated as a polling site;

23 (B) If the private property has multiple buildings and a  
24 shared parking area, the property owner shall designate a reasonable amount  
25 of the shared parking area, the building used for voting, and the area  
26 adjacent to the roadway as the polling site; and

27 (2) The private property owner shall not restrict electioneering  
28 on the designated property on election day or any day on which early voting  
29 is allowed, except:

30 (A) Electioneering shall not be allowed:

31 (i) In a building in which voting is taking place;

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

35 (iii) With persons standing in line to vote; and

36 (B) A private property owner may restrict electioneering

1 activities that create or cause permanent damage to the private property,  
2 including without limitation:

3 (i) The display of electioneering materials  
4 installed with a permanent material, including concrete; and

5 (ii) The use of paint on any portion of the private  
6 property.

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

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

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

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

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