

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 2360

5 By: Representative E. Brown
6
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE TRANSFER OF VOTER
10 REGISTRATION FROM COUNTY TO COUNTY; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 AN ACT CONCERNING THE TRANSFER OF VOTER
15 REGISTRATION FROM COUNTY TO COUNTY.
16
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Pursuant to the authority granted under Section 19 of
21 Amendment 51 to the Arkansas Constitution, Section 10 of Amendment 51 to the
22 Arkansas Constitution is amended to read as follows:

23 § 10. Transfer and change of status.

24 (a) Upon a change of legal residence within the county, or a change of
25 name, any registered voter may cause his or her registration to be
26 transferred to his or her new address or new name by completing and mailing a
27 federal or state mail voter registration application form, by updating his or
28 her address at the Office of Driver Services, any state revenue office,
29 public assistance agency, disabilities agency, or other voter registration
30 agency, by signing a mailed request to the permanent registrar, giving his or
31 her present address and the address at which he or she was last registered or
32 his or her present name and the name under which he or she was last
33 registered, or by applying in person at the office of the permanent
34 registrar.

35 (b)(1) Upon a change of legal residence from one (1) county within the
36 state to another county within the state, any registered voter may cause his



1 or her registration to be transferred to the new county at his or her new
 2 address by:

3 (A) Completing and mailing a federal or state mail voter
 4 registration application form;

5 (B) Updating his or her new address at a voter
 6 registration agency, including without limitation the Office of Driver
 7 Services or a state revenue office, public assistance agency, or disabilities
 8 agency;

9 (C) Signing a mailed request to the permanent registrar
 10 giving the voter's present address and the address at which the voter was
 11 last registered; or

12 (D) Applying in person for the transfer at the office of
 13 the permanent registrar.

14 (2)(A) If the updated registration information is received in
 15 the office of the county clerk of the voter's new county not later than four
 16 (4) days before a scheduled election, the voter shall have the right to vote
 17 in the scheduled election in the precinct to which the voter just moved in
 18 the new county.

19 (B) If the updated registration information is received
 20 less than four (4) days before a scheduled election, the voter shall not be
 21 eligible to vote in the scheduled election.

22 ~~(b)(c)~~ If the change of legal residence is made pursuant to subsection
 23 (a) or subdivision ~~(e)(d)~~(1) of this section during the thirty-day
 24 administrative cut-off period immediately prior to any election scheduled
 25 within the county, the registered voter shall retain his or her right to vote
 26 in the scheduled election in the precinct to which he or she just moved.

27 ~~(e)(d)~~ The permanent registrar shall conduct a uniform,
 28 nondiscriminatory address confirmation program during each odd-numbered year
 29 to ensure that voter registration lists are accurate and current. The address
 30 confirmation program shall be completed not later than ninety (90) days prior
 31 to a primary or general election for federal office. Based on change of
 32 address data received from the United States Postal Service or its licensees,
 33 or other unconfirmed data indicating that a registered voter no longer
 34 resides at his or her registered address, the permanent registrar shall send
 35 a forwardable address confirmation notice, including a postage-paid and
 36 preaddressed return card, to enable the voter to verify or correct the

1 address information.

2 (1) If change of address data indicate that the voter has moved
3 to a new residence address in the same county and, if the county is divided
4 into more than one (1) congressional district, the same congressional
5 district, the address confirmation notice shall contain the following
6 statement:

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10 "We have received notification that you have moved to a new address in
11 _____ County (or in the _____ Congressional
12 District). We will reregister you at your new address unless, within ten (10)
13 days, you notify us that your change of address is not a change of your
14 permanent residence. You may notify us by returning the attached postage-paid
15 postcard or by calling (_____) _____-_____. If this is not a
16 permanent change of residence and if you do not notify us within ten (10)
17 days you may be required to update your residence address in order to vote at
18 future elections."

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20 (2) If the change of address data indicates that the voter has
21 moved to a new address in another county or, if a county is divided into more
22 than one (1) congressional district, to a new address in the same county but
23 in a new congressional district, the notice shall include the following
24 statement:

25

26 "We have received notification that you have moved to a new address not in
27 _____ County (or not in the _____ Congressional
28 District). If you no longer live in _____ County (or in the
29 _____ Congressional District), you must ~~reregister at~~ transfer
30 your registration to your new residence address in order to vote in the next
31 election. If you are still an Arkansas resident, you may obtain a form to
32 ~~register to vote~~ transfer your registration by calling your county clerk's
33 office or the Secretary of State. If your change of address is not a change
34 of your permanent residence, you must return the attached postage-paid
35 postcard. If you do not return this card and continue to reside in
36 _____ County (and in the _____ Congressional

1 District), you may be required to provide identification and update your
 2 residence address in order to vote at future elections, and if you do not
 3 vote at any election in the period between the date of this notice and the
 4 second federal general election after the date of this notice, your voter
 5 registration will be cancelled and you will have to reregister in order to
 6 vote. If the change of address is permanent, please return the attached
 7 postage-paid postcard which will assist us in keeping our voter registration
 8 records accurate."

9 ~~(d)~~(e) The county clerk may send out an address confirmation to any
 10 voter when ~~they receive~~ he or she receives unconfirmed information that the
 11 voter no longer resides at the address on the voter registration records. The
 12 county clerk shall follow the same confirmation procedure as set forth in
 13 subsection ~~(e)~~(d).

14 ~~(e)~~(f) Based on change of address information received pursuant to
 15 subsections (a) and ~~(e)~~(d) of this section, the permanent registrar shall:

16 (1) Update and correct the voter's registration if the
 17 information indicates that the voter has moved to a new address within the
 18 same county and the same congressional district;

19 (2) Designate the voter as inactive if the information indicates
 20 the voter has moved to a new address in another county or to a new address in
 21 another congressional district in the same county or if the address
 22 confirmation notices have been returned as undeliverable; or

23 (3) Cancel the voter registration in the county from which the
 24 voter has moved if the voter verifies in writing that he or she has moved to
 25 a residence address in another county.

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 27 SECTION 2. Arkansas Code § 7-5-201(a), concerning voter qualification,
 28 is amended to read as follows:

29 (a) To be qualified to vote, a person shall have registered at least
 30 thirty (30) calendar days immediately prior to the election and in the manner
 31 set forth by Arkansas Constitution, Amendment 51. ~~The person shall be~~
 32 ~~eligible to vote only in the county in which he resides on the date thirty-~~
 33 ~~one (31) calendar days prior to the election, unless specifically exempted~~
 34 ~~under § 7-5-406.~~