

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Enrolled: H1/16/25 H1/23/25

2 95th General Assembly

A Bill

3 Regular Session, 2025

HOUSE BILL 1035

4

5 By: Representatives A. Collins, D. Garner, T. Shephard, Springer, Gonzales Worthen, Barnett

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For An Act To Be Entitled

9 AN ACT TO CREATE THE ONLINE VOTER REGISTRATION ACT OF
10 2025; TO ALLOW ONLINE VOTER REGISTRATION; TO AMEND
11 ARKANSAS CONSTITUTION, AMENDMENT 51; TO AMEND THE
12 DUTIES OF THE SECRETARY OF STATE; AND FOR OTHER
13 PURPOSES.

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Subtitle

17

TO CREATE THE ONLINE VOTER REGISTRATION

18

ACT OF 2025; TO ALLOW ONLINE VOTER

19

REGISTRATION; TO AMEND ARKANSAS

20

CONSTITUTION, AMENDMENT 51; AND TO AMEND

21

THE DUTIES OF THE SECRETARY OF STATE.

22

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

24

25 SECTION 1. DO NOT CODIFY. Title.

26 This act shall be known and may be cited as "The Online Voter

27 Registration Act of 2025".

28

29 SECTION 2. Arkansas Constitution, Amendment 51, § 5(b)(1), concerning
30 the duties of voter registration officials, is amended to read as follows:

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(b)(1)(A) The Secretary of State is designated as the chief election
32 official. The Secretary of State shall prepare and distribute the pre-

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addressed postcard mail voter registration application forms described in 51-

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6 of this amendment. Mail voter registration application forms shall serve

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for purposes of initial applications to register and shall also serve for

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changes of name, address, or party affiliation. Bilingual (Spanish/English)



1 forms, braille forms, and large print forms shall be available upon request.
2 The Secretary of State shall make the state mail voter registration
3 application form available for distribution through governmental and private
4 entities with particular emphasis on making them available for organized
5 voter registration programs. Any person may distribute state registration
6 cards. All registration cards shall be distributed to the public without
7 charge.

8 (B)(i) The Secretary of State shall prepare and administer
9 online voter registration application forms.

10 (ii) Online voter registration application forms may
11 serve for purposes of initial applications to register and may serve for
12 changes of name, address, or party affiliation.

13 (iii) The system used to access the online voter
14 registration application forms shall be accessible without charge.

15
16 SECTION 3. Arkansas Constitution, Amendment 51, § 5(e), concerning the
17 duties of registration officials, is amended to add an additional subdivision
18 to read as follows:

19 (f)(1) The Secretary of State may promulgate rules including detailed
20 specifications for the online voter registration application forms, and the
21 security measures for the protection of the voter registration applicant
22 information and the voter registration list.

23 (2) A rule promulgated under subdivision (f)(1) of this section
24 shall:

25 (A) Be consistent with this amendment and the laws passed
26 by the General Assembly;

27 (B) Be of uniform application across the state; and

28 (C) Follow the procedure for review and approval by the
29 General Assembly under the Arkansas Administrative Procedure Act, § 25-15-201
30 et seq.

31 (3) The Secretary of State shall not promulgate an emergency
32 rule under this subsection (f) and under the Arkansas Administrative
33 Procedure Act, § 25-15-201 et seq., within one hundred eighty (180) days of a
34 federal election unless approved by the General Assembly or if the General
35 Assembly is not in session, by the Legislative Council.

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1 SECTION 4. Arkansas Constitution, Amendment 51, § 6(a)(1), concerning
2 statements included on the mail voter registration application form, is
3 amended to read as follows:

4 (a)(1) The mail voter registration application form and the online
5 voter registration application form may only require identifying information,
6 including a physical signature or mark, an electronic signature or mark, and
7 other information, including data relating to previous registration by the
8 applicant, as is necessary to assess the applicant's eligibility and to
9 administer voter registration and other parts of the election process.

10
11 SECTION 5. Arkansas Constitution, Amendment 51, § 6(a)(3)(F),
12 concerning statements included on the mail voter registration application
13 form, is amended to read as follows:

14 (F) A physical signature or mark or an electronic
15 signature or mark made under penalty of perjury that the applicant meets each
16 requirement for voter registration;

17
18 SECTION 6. Arkansas Constitution, Amendment 51, § 6(a)(4), concerning
19 statements included on the mail voter registration application form, is
20 amended to read as follows:

21 (4) The following information may be requested on the
22 registration card or online voter registration application form, but it shall
23 not be required:

24 (A) Telephone number where the applicant may be contacted;
25 and

26 (B) Political party with which the applicant wishes to be
27 affiliated, if any.

28
29 SECTION 7. Arkansas Constitution, Amendment 51, § 6(a)(5), concerning
30 statements included on the mail voter registration application form, is
31 amended to read as follows:

32 (5) The mail voter registration application form or the online
33 voter registration application form shall not include ~~any~~ a requirement for
34 notarization or other formal authentication.

35
36 SECTION 8. Arkansas Constitution, Amendment 51, § 6(a)(6), concerning

1 statements included on the mail voter registration application form, is
2 amended to read as follows:

3 (6) The mail voter registration application form and the online
4 voter registration application form shall include the following questions
5 along with boxes or other means for the applicant to check “yes” or “no” in
6 response:

7 (A) “Are you a citizen of the United States of America
8 and an Arkansas resident?”;

9 (B) “Will you be eighteen (18) years of age on or before
10 election day?”;

11 (C) “Are you presently adjudged mentally incompetent by a
12 court of competent jurisdiction?”; and

13 (D) “Have you ever been convicted of a felony without
14 your sentence having been discharged or pardoned?”.

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16 SECTION 9. Arkansas Constitution, Amendment 51, § 6(a)(7), concerning
17 statements included on the mail voter registration application form, is
18 amended to read as follows:

19 (7) The mail voter registration application form and the online
20 voter registration application form shall include the following statements
21 immediately following the questions asked in subdivision (a)(6) of this
22 section:

23 (A) “If you checked ‘No’ in response to either questions A
24 or B, do not complete this form.”;

25 (B) “If you checked ‘Yes’ in response to either questions
26 C or D, do not complete this form.”; and

27 (C) The mail-in voter registration application form and
28 the online voter registration application form shall include the following
29 statement:

30 “If your voter registration application form is
31 submitted by mail or online and you are registering for the first time, and
32 you do not have a valid driver’s license number or Social Security number, in
33 order to avoid the additional identification requirements upon voting for the
34 first time you must submit with the ~~mailed~~ voter registration application
35 form: (a) a current and valid photo identification; or (b) a copy of a
36 current utility bill, bank statement, government check, paycheck, or other

1 government document that shows your name and address.”

2
3 SECTION 10. Arkansas Constitution, Amendment 51, § 8(a)(2), concerning
4 voter registration application records and reports, is amended to read as
5 follows:

6 (2) The Secretary of State shall transmit all mail voter
7 registration ~~applications~~ application forms and online voter registration
8 application forms to the appropriate permanent registrar no later than ten
9 (10) days after the date of receipt. When ~~applications~~ mail voter
10 registration application forms and online voter registration application
11 forms are received within five (5) days before the last day of registration
12 for an election, they must be transmitted no later than five (5) days after
13 date of receipt. If mail voter registration application forms and online
14 voter registration application forms are received by the wrong election
15 office, they shall be forwarded to the appropriate permanent registrar not
16 later than the fifth day after receipt.

17
18 SECTION 11. Arkansas Constitution, Amendment 51, § 8(c)(1), concerning
19 voter registration application records and reports, is amended to read as
20 follows:

21 (c)(1) The Secretary of State shall collect, maintain, and publish
22 monthly statistical data reflecting the number of new voter registration
23 applications, changes of address, name, and party affiliation, and
24 declinations received by mail, electronically, and in:

- 25 (A) ~~state~~ State revenue offices;
- 26 (B) ~~public~~ Public assistance agencies;
- 27 (C) ~~disabilities~~ Disabilities agencies;
- 28 (D) ~~recruitment~~ Recruitment offices of the ~~Armed Forces of~~
29 ~~the United States~~ United States Armed Forces;
- 30 (E) ~~public~~ Public libraries; and
- 31 (F) ~~offices~~ Offices of the Arkansas National Guard.

32
33 SECTION 12. Arkansas Constitution, Amendment 51, § 9(c), concerning
34 the application to register to vote, is amended to add an additional
35 subdivision to read as follows:

36 (4) The permanent registrar shall register qualified applicants

1 who apply to register to vote by using an online voter registration
2 application form if:

3 (A) The online voter registration application form is
4 submitted no later than thirty (30) days before the date of the election; and

5 (B) The applicant for online voter registration provides a
6 current valid driver's license number or the last four (4) digits of the
7 applicant's Social Security number.

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9 SECTION 13. Arkansas Constitution, Amendment 51, § 10(a), concerning
10 the transfer and change of status for a registered voter, is amended to read
11 as follows:

12 (a) Upon a change of legal residence within the county, or a change of
13 name, any registered voter may cause his or her registration to be
14 transferred to his or her new address or new name by completing and mailing a
15 federal or state mail voter registration application form, by completing an
16 online voter registration application form, by updating his or her address at
17 the Office of Driver Services, any state revenue office, public assistance
18 agency, disabilities agency, or other voter registration agency, by signing a
19 mailed request to the permanent registrar, giving his or her present address
20 and the address at which he or she was last registered or his or her present
21 name and the name under which he or she was last registered, or by applying
22 in person at the office of the permanent registrar.

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24 SECTION 14. Arkansas Constitution, Amendment 51, § 10(b)(1),
25 concerning the transfer and change of status for a registered voter, is
26 amended to add an additional subdivision to read as follows:

27 (b)(1) Upon a change of legal residence from one (1) county within the
28 state to another county within the state, any registered voter may cause his
29 or her registration to be transferred to the new county at his or her new
30 address by:

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

33 (B) Updating his or her new address at a voter
34 registration agency, including without limitation the Office of Driver
35 Services or a state revenue office, public assistance agency, or disabilities
36 agency;

1 (C) Signing a mailed request to the permanent registrar
2 giving the voter's present address and the address at which the voter was
3 last registered; ~~or~~

4 (D) Applying in person for the transfer at the office of
5 the permanent registrar; or

6 (E) Completing an online voter registration application
7 form.

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9 SECTION 15. Arkansas Code § 7-5-201(e)(1), concerning voter
10 qualification, is amended to read as follows:

11 (e)(1) A person registering to vote by mail or by an online voter
12 registration application form and who has not previously voted in a federal
13 election in this state shall:

14 (A) Present to the election official a current and valid
15 photo identification or a copy of a current utility bill, bank statement,
16 government check, paycheck, or other government document that shows the name
17 and address of the voter when appearing to vote in person either early or at
18 the polls on election day; or

19 (B) When voting by mail, submit with the ballot a copy of
20 a current and valid photo identification or a copy of a current utility bill,
21 bank statement, government check, paycheck, or other government document that
22 shows the name and address of the voter.

23
24 SECTION 16. Arkansas Code § 7-5-201(e)(3)(E) and (F), concerning voter
25 qualification, are amended to read as follows:

26 (E) Persons who register to vote by mail or by an online
27 voter registration application form and submit as part of the registration
28 any of the identification documents listed in subdivision (e)(1) of this
29 section; or

30 (F) Persons who register to vote by mail or by an online
31 voter registration application form and submit with the registration either a
32 driver's license number or at least the last four (4) digits of the
33 individual's Social Security number and with respect to whom a state or local
34 election official matches the license number or Social Security number with
35 an existing state identification record bearing the same number, name, and
36 date of birth as provided in the registration.

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2 SECTION 17. Arkansas Code § 7-5-305(a)(8)(B)(iii), concerning first-
3 time voter identification, is amended to read as follows:

4 (iii) A first-time voter who registers by mail or by
5 an online voter registration application form without providing
6 identification when registering and desires to vote in person but who does
7 not meet the identification requirements of § 7-5-201(e) may cast a
8 provisional ballot.

9
10 SECTION 18. Arkansas Code Title 7, Chapter 5, Subchapter 3, is amended
11 to add an additional section to read as follows:

12 7-5-325. Online voter registration.

13 (a) The Secretary of State shall establish and maintain a secure
14 online voter registration system.

15 (b) The online voter registration system shall allow:

16 (1) The submission of an online voter registration application
17 form meeting the requirements established in Arkansas Constitution, Amendment
18 51, § 6; and

19 (2) A voter registration to be completed using the online voter
20 registration system and after completion on the online voter registration
21 system, to be included on the voter registration list.

22 (c) The Secretary of State shall:

23 (1) Employ security measures the Secretary of State determines
24 to be necessary to ensure the integrity, accuracy, and security of the online
25 voter registration system; and

26 (2) Establish and implement a process for the verification of
27 address information submitted by a person registering to vote, or a
28 registered voter updating his or her address when:

29 (A) Using the online voter registration application form;

30 (B) Providing address information to a state agency
31 charged with voter registration address information; or

32 (C) Using a state mail voter registration application
33 form.

34 (d) Each person using the online voter registration system shall be
35 informed as to whether:

36 (1) The online voter registration application form has been

1 successfully submitted and is pending approval; or

2 (2) The online voter registration system encountered an error in
3 processing the online voter registration application form and the online
4 voter registration application form was not successfully submitted.

5 (e)(1) The Secretary of State shall promulgate rules necessary to
6 implement the requirements under this section under the Arkansas
7 Administrative Procedure Act, § 25-15-201 et seq.

8 (2) The Secretary of State shall not promulgate emergency rules
9 necessary to implement this section under the Arkansas Administrative
10 Procedure Act, § 25-15-201 et seq., within one hundred eighty (180) days of a
11 federal election unless approved by the General Assembly or if the General
12 Assembly is not in session, by the Legislative Council.

13
14 SECTION 19. Arkansas Code § 7-5-412(a)(2)(B) concerning identification
15 for absentee ballots, is amended to read as follows:

16 (B) A copy of a current and valid photographic
17 identification or a copy of a current utility bill, bank statement,
18 government check, paycheck, or other government document that shows the name
19 and address of the first-time voter, for first-time voters who registered by
20 mail or by an online voter registration application form. However, this
21 requirement does not apply if:

22 (i) The voter registered to vote by mail or by an
23 online voter registration application form and provided the identification at
24 that time; or

25 (ii) The first-time voter registered to vote by mail
26 or by an online voter registration application form and submitted his or her
27 driver's license number or at least the last four (4) digits of his or her
28 Social Security number at the time and this information matches the
29 information in an existing state identification record bearing the same
30 number, name, and date of birth as provided in the registration.

31
32 SECTION 20. Arkansas Code § 7-5-416(b)(1)(F), concerning the counting
33 of absentee ballots, is amended to read as follows:

34 (F)(i) After the election official reads aloud from the
35 statement, the election officials shall compare the name, address, date of
36 birth, and signature of the voter's absentee application with the voter's

1 statement and~~;~~:

2 (a) ~~for~~ For first-time voters who registered
3 by mail, the first-time voter's identification document unless the voter
4 previously provided identification at the time of mailing the voter
5 registration application~~;~~ or

6 (b) For first-time voters who registered using
7 an online voter registration application form, the first-time voter's
8 identification document unless the voter previously provided identification
9 at the time of electronically registering using an online voter registration
10 application form.

11 (ii) If the county board of election commissioners
12 determines that the absentee application and the voter's statement do not
13 compare as to name, residential voting address, date of birth, and signature,
14 the absentee ballot shall not be counted.

15 (iii) If a first-time voter fails to provide the
16 required identification with the absentee ballot or at the time of mailing
17 the voter registration application, or at the time of registration using an
18 online voter registration application form, then the absentee application,
19 absentee ballot envelope, and voter's statement shall be placed in an
20 envelope marked "provisional" and the absentee ballot shall be considered a
21 provisional ballot;

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23 SECTION 21. EFFECTIVE DATE. This act shall become effective on and
24 after January 1, 2026.

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26 /s/A. Collins

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