

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4
5 By: Senator K. Hammer
6 By: Representative Rose
7

A Bill

SENATE BILL 291

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING COMPLAINTS OF
10 ELECTION LAW VIOLATIONS; TO AMEND THE DEADLINES FOR
11 COMPLAINTS OF ELECTION LAW VIOLATIONS; AND FOR OTHER
12 PURPOSES.

Subtitle

16 TO AMEND THE LAW CONCERNING COMPLAINTS
17 OF ELECTION LAW VIOLATIONS; AND TO AMEND
18 THE DEADLINES FOR COMPLAINTS OF ELECTION
19 LAW VIOLATIONS.

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

23 SECTION 1. Arkansas Code § 7-4-120(b)(1)(A), concerning complaints of
24 election law violations filed with the State Board of Election Commissioners,
25 is amended to read as follows:

26 (b)(1)(A) A complaint shall be filed with the State Board of Election
27 Commissioners in writing no earlier than ~~the date established by law for the~~
28 ~~delivery or mailing of absentee ballots to a voter and no later than thirty~~
29 ~~(30) days following the deadline to certify an election by a county board of~~
30 election commissioners forty-nine (49) days prior to the date of the election
31 and no later than forty-nine (49) days following the date of the election of
32 the following:

33 (i) An alleged violation of the laws regarding
34 elections including without limitation:

- 35 (a) Voter registration;
36 (b) Requests for absentee ballots;



- 1 (c) Delivery of absentee ballots;
- 2 (d) Casting of ballots;
- 3 (e) Ballot tabulation;
- 4 (f) Certification of election results;
- 5 (g) Administration of an election;
- 6 (h) Election processes; or
- 7 (i) Conduct of an election; or
- 8 (ii) The election or elections affected or
- 9 associated with the complaint.

10
 11 SECTION 2. Arkansas Code § 7-4-120(b)(1)(B), concerning the contents
 12 of a complaint of election laws filed with the State Board of Election
 13 Commissioners, is amended to read as follows:

14 (B) A complaint may be referred to the State Board of
 15 Election Commissioners by the Joint Performance Review Committee and is not
 16 subject to the ~~thirty (30) day~~ filing requirement under this subdivision
 17 (b)(1).

18
 19 SECTION 3. Arkansas Code § 7-4-120(c)(2)-(4), concerning complaints of
 20 election law violations filed with the State Board of Election Commissioners,
 21 are amended to read as follows:

22 (2) Except as provided in subdivisions (c)(3) and (4) of this
 23 section, records under this section are exempt from disclosure under the
 24 Freedom of Information Act of 1967, § 25-19-101 et seq., until:

25 (A) ~~A hearing by the State Board of Election Commissioners~~
 26 is set Thirty (30) days after the final adjudication at which the State Board
 27 of Election Commissioners makes a final decision, at which point the records
 28 of the investigation upon which the State Board of Election Commissioners has
 29 based its findings shall be opened to public inspection; or

30 (B) ~~The investigation by the State Board of Election~~
 31 ~~Commissioners is closed by the State Board of Election Commissioners~~ A public
 32 hearing before the State Board of Election Commissioners is set.

33 (3) The State Board of Election Commissioners ~~shall~~ may
 34 disclose, through its members or staff, otherwise confidential information to
 35 proper law enforcement officers, agencies, and other entities as is necessary
 36 to conduct the investigation under this section.

1 (4) ~~The records of the investigation upon which the State Board~~
 2 ~~of Election Commissioners has based its findings shall be opened to public~~
 3 ~~inspection thirty (30) days after the final adjudication in which the State~~
 4 ~~Board of Election Commissioners makes a final decision~~ Election monitor
 5 reports generated by a state election monitor are not subject to the
 6 exemptions under this subsection.

7
 8 SECTION 4. Arkansas Code § 7-4-120(i)(1), concerning complaints of
 9 election law violations filed with the State Board of Election Commissioners,
 10 is amended to read as follows:

11 (i)(1) The State Board of Election Commissioners shall conclude its
 12 investigation and take its final action under this section within ~~one hundred~~
 13 ~~eighty (180)~~ one hundred eighty-two (182) days of the ~~filing of a complaint~~
 14 final deadline to file a complaint for the election.

15
 16 SECTION 5. Arkansas Code § 7-4-120(i)(3) and (4), concerning
 17 complaints of election law violations filed with the State Board of Election
 18 Commissioners, are amended to read as follows:

19 (3) ~~However, if~~ If the State Board of Election Commissioners
 20 fails to take its final action within ~~one hundred eighty (180)~~ one hundred
 21 eighty-two (182) days following the deadline to file a complaint, the final
 22 administrative action shall be effective within ~~one hundred eighty (180)~~ one
 23 hundred eighty-two (182) days ~~of the filing of the complaint~~ following the
 24 deadline to file a complaint.

25 (4) If the State Board of Election Commissioners makes its offer
 26 of settlement and the offer is rejected under this section, the State Board
 27 of Election Commissioners may conduct a hearing and shall take final action
 28 under this section within ~~two hundred forty (240)~~ two hundred forty-five
 29 (245) days.

30
 31 SECTION 6. Arkansas Code § 7-4-124(f), concerning an election
 32 integrity review conducted by the State Board of Election Commissioners, is
 33 amended to read as follows:

34 (f) If a county official refuses to provide records requested to
 35 conduct a review under this section, the board may consider the failure to
 36 provide documents as an indication that a criminal election law violation has

1 occurred authorizing the filing of a complaint under § 7-4-120 more than
2 ~~thirty (30)~~ forty-nine (49) days after ~~the deadline to certify~~ the election.

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