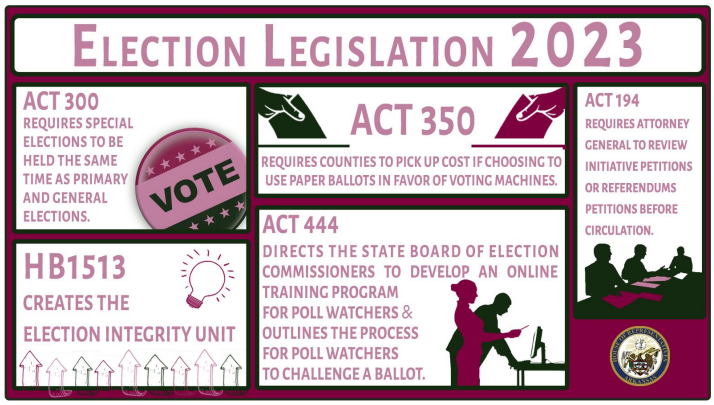
STATE OF ARKANSAS
House of Representatives

Newsletter From Rep. Carol Dalby

District 100

April 14, 2023

Election Legislation from the 2023 Regular Session



More than twenty bills passed in the 2023 Regular Session address Arkansas elections.

From how an initiative is placed on the ballot to when the polls are open, several changes are being made due to recent legislation.

The following pieces of legislation regarding elections have been signed into law:

Act 236 amends the procedure for the filing of a ballot initiative and referendum petition by requiring that signatures are gathered from at least 50 counties. Currently, signatures are required from 15 counties.

Act 194 requires the Attorney General to review the ballot title for an initiative petition or referendum petition before circulation.

Act 300 requires special elections to be held on the same dates as a primary or general election. It states special elections shall be held on the second Tuesday of March or November in a year when a presidential election is held or the second Tuesday of May and November of all other years. It outlines specific criteria for exceptions to holding an emergency special election.

Act 329 creates the Ballot Security Act of 2023. The bill allows for the tracking of ballots and proper delivery and creates a process to preserve spoiled ballots.

Act 141 allows an absentee ballot to be issued to any person who is prevented from voting due to observance of a religious

discipline or religious holiday during the entire 12 hours that the polls are open on election day.

Act 350 states that a county that chooses to use paper ballots in place of approved voting machines shall be responsible for the cost of the paper ballots and any devices or machines required for printing and tabulation. It also states that each paper ballot shall be compatible with the electronic vote tabulation devices selected by the Secretary of State.

Act 305 eliminates the write-in candidate portion on a ballot.

Act 353 prohibits the use of absentee ballot drop boxes. It states all absentee ballots not delivered by mail shall be hand-delivered inside the physical office of the county clerk.

Act 444 directs the State Board of Election Commissioners to develop an online training program for poll watchers. It also identifies who can serve as a poll watcher, requires all poll watchers to wear an identification badge, and outlines the process for poll watchers to challenge a ballot.

Act 308 outlines the process for a county board of election commissioners to correct errors on ballots.

Act 92 requires polls to be open for early voting on county holidays. Polls would continue to be closed for early voting on state holidays.

Act 263 states that if a county board of election commissioners decides to hold early voting at an additional polling site, the hours the additional early voting polling site is open shall be the same hours as the county clerk's designated early voting location.

Act 294 requires a legislative review of new federal election guidance.

Act 320 amends the prohibition on the delivery of unsolicited absentee ballot applications to electors.

Act 321 outlines a process for the recount of ballots.

Act 389 amends the election law concerning polling sites and amends the location of the voting center.

HB1513 Creates the election integrity unit. This bill passed both chambers and is now on the Governor’s desk awaiting her signature.

You can find additional summaries of recently passed legislation at arkansashouse.org.