

Arkansas

Registration Deadline

Forms must be received or postmarked 30 days before an election.¹

M	T	W	Th	F	Sa	Su

Database Implementation Status

Arkansas is in the midst of constructing a statewide database in top-down fashion, in which county officials will have direct access to a centralized state database. The state signed a contract with Election Systems & Software in January 2005 to develop the database system.²

Entering Voter Registration Information

Who inputs voter registration information? County registrars generally review and enter information from voter registration forms in their jurisdictions into the statewide system.

What happens to voter registration forms submitted at state registration agencies? The Secretary of State's office collects all mail-in registrations and forwards the original forms to county registrars for review and entry. Applicants processed by the Office of Driver Services ("ODS") do not submit physical voter registration forms, but information is taken from each applicant in person, and is entered into an electronic file. That file is then sent to the appropriate county, where a county clerk reviews and enters the information into the statewide system.

How are most forms submitted? Arkansas reported that in 2004, 28% of forms were submitted by mail, 36% were submitted in person to election officials, 26% were submitted at the DMV, 6% were submitted at another voter registration agency, and 4% were submitted by other means.³

Voter Registration Form

The relevant portions of the voter registration form are included at the end of this section.⁴

Processing of Forms Without Identifying Numbers

How will the state treat an application with an affirmative indication that the applicant has no valid identifying number? The applicant will be assigned a unique voter registration number. If the applicant is otherwise eligible, she will be considered registered.⁵

How will the state treat an application without an identifying number and without an affirmative indication that the applicant has no such number? If the applicant is otherwise eligible, her registration will be considered pending. An applicant whose registration is still pending on Election Day may vote if she presents state-issued photo identification at the polls.

How will the state treat an application listing an identifying number that is either incomplete or illegible? If the applicant is otherwise eligible, her registration will be considered pending. An applicant whose registration is still pending on Election Day may vote if she presents state-issued photo identification at the polls.

Matching Against Motor Vehicle and Social Security Records

What fields from the voter registration form will the state seek to match to motor vehicle or Social Security records? Identifying number, date of birth, and last name.

How precise is the match standard? Arkansas will use a “substantial match” standard to match information on voter registration forms.

How much human intervention is involved in determining whether information is matched? Arkansas intends to use a system that returns a list of records, and gives the registrar the discretion to determine whether a likely match exists among the possible matches returned. Arkansas, however, has not yet completed system design and has not yet fully determined the extent of human discretion that will be involved.

Description of matching process: Arkansas has not yet determined the process by which a match for information on voter registration forms will be sought. The state intends, however, to design the system such that once a registrar enters information from a new application into the statewide database, the system will automatically search for matches. The system will return a list of possible matches, and the registrar has the discretion to determine if a likely match exists among the possible matches returned.

What are the consequences if the state cannot find a match? If the applicant is otherwise eligible, her registration will be considered pending; an applicant whose registration is still pending on Election Day may vote if she presents state-issued photo identification at the polls.

Notice and Opportunity to Resolve Errors

Does the applicant have the opportunity to correct a missing or incomplete identifying number, without submitting a new form? Yes. The applicant may correct missing or incomplete information at any point that leaves the county registrar enough time before Election Day to verify an identification number. The State Elections Board estimates that most counties will be able to verify corrected information up to 48 hours before an election.⁶

Does the applicant have the opportunity to resolve a failed match, without submitting a new form? Yes. The applicant may submit information to resolve a failed match at any point that leaves the county registrar enough time before Election Day to verify an identification number. The State Elections Board estimates that most counties will be able to verify corrected information up to 48 hours before an election.⁷

If information on an otherwise timely application is corrected after the voter registration deadline, is the correction timely? Yes.

Description of notice and correction process: An applicant with a missing, incomplete, incorrect, or unverified identifying number will be placed on a list of “pending” registrations; the registrar will also mail the applicant a notification and a new registration form. The notification will ask the applicant to provide a correct and verifiable identifying number or a photocopy of a state-issued photo identification to her county registrar with enough time for the county registrar to verify the identification number before the next election. The notification will also inform the applicant that if the identification number is still unverified by Election Day, she may nevertheless vote if she presents a state-issued photo identification card.

Identification Requirements at the Polls

Who must provide identification at the polls? Every voter whose registration status is “pending” – including those who submitted identifying numbers that have not been verified – will be required to show state-issued photo identification at the polls in order to vote a regular ballot.⁸

Every other voter will be requested to show identification at the polls, but may still vote a regular ballot even if she fails to provide acceptable identification.⁹

What forms of identification are accepted? Every voter whose identifying number has not been verified must show state-issued photo identification. Every other voter will be requested to show current and valid photo ID, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the voter’s name and address.

What are the consequences of failing to show identification? Every voter whose registration status is “pending” – including those who submitted identifying numbers that have not been verified – will be given a provisional ballot that will likely not be counted, at the discretion of the county board of election commissioners.¹⁰ Every other voter may vote a regular ballot.

Forms of ID:

voters without verified identifying number:	state-issued current and valid photo ID
every other voter:	current and valid photo ID current utility bill w/ name, address bank statement w/ name, address government check w/ name, address paycheck w/ name, address other gov’t document w/ name, address

Statutes and Regulations

ARK. CONST. amend. 51 generally concerns registration. ARK. CONST. amend. 51, § 7 directs the Secretary of State to develop and administer a statewide voter registration database. There are no applicable regulations.

End Notes

¹ ARK. CONST. amend. 51, § 9(b); ARK. CODE ANN. § 7-5-201.

² electionline.org, *Assorted Rolls: Statewide Voter Registration Databases Under HAVA*, June 2005, available at <http://www.electionline.org/Portals/1/EB11.FINAL1.pdf>, at 15.

³ Election Assistance Commission, *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 2003-2004*, June 30, 2005, tbl. 2, available at http://www.eac.gov/NVR_Spreadsheets/NVRA_table_2.html. Due to rounding, the percentages listed may exceed 100%.

⁴ The form does not specify that the individual must submit a current, valid Arkansas driver's license number. The relevant legal provision specifies that the individual must submit a current and valid driver's license number but does not specify that it be an Arkansas license. ARK. CONST. amend. 51, § 6(a)(3)(H).

⁵ *Id.* § 9(c)(3)(B)(ii).

⁶ *Id.* § 6(a)(8).

⁷ *Id.*

⁸ Currently, Arkansas law accepts any document described in section 303 of HAVA for first-time voters registering by mail whose identifying numbers have not yet been verified. *See* ARK. CODE ANN. §§ 7-5-201(d)(1), (2)(F), 7-5-305(a)(8)(B)(ii). However, state officials indicated that state policy would require photo ID of all voters with unverified identifying information. This policy and the existing statute are, in this respect, inconsistent.

⁹ *See id.* §§ 7-5-201(d)(1), 7-5-201(d)(2)(F), 7-5-305(a)(8)(A), 7-5-305(a)(8)(B)(i).

¹⁰ *See id.* § 7-5-306(b)(3).

ARKANSAS VOTER REGISTRATION APPLICATION

<p>Check all that apply: <input type="checkbox"/> This is a new registration. <input type="checkbox"/> This is a name change. <input type="checkbox"/> This is an address change. <input type="checkbox"/> This is a party change.</p>	<p>Office Use Only</p>	<p>Assigned ID</p>
---	------------------------	--------------------

1	Mr. Mrs. Miss Ms.	Last Name	Jr. Sr. II. III. IV.	First Name	Middle Name
----------	----------------------------	-----------	----------------------------	------------	-------------

2	Address Where You Live (See Section "C" Below) (Rural addresses must draw map.)	Apt. or Lot #	City/Town	County	State	Zip Code
----------	--	---------------	-----------	--------	-------	----------

3	Address Where You Receive Mail If Different From Above	Apt. or Lot #	City/Town	County	State	Zip Code
----------	--	---------------	-----------	--------	-------	----------

4	Date of Birth Month / Day / Year	5	Home & Work Phone Numbers (Optional) (H) (W)	6	Party Affiliation (Optional)
----------	-------------------------------------	----------	---	----------	------------------------------

7	<p>ID Number - Check the applicable box and provide the appropriate number. <input type="checkbox"/> Driver's license number <input type="checkbox"/> If you do not have a driver's license provide the last 4 digits of social security number <input type="checkbox"/> I have neither a driver's license nor social security number.</p>	8	<p>Have you ever voted in a federal election in this State? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The information I have provided is true to the best of my knowledge. If I have provided false information, I may be subject to a fine of up to \$10,000 and/or imprisonment of up to 10 years under state and federal laws.</p>
----------	--	----------	---

9	<p>(A) Are you a citizen of the United States of America and an Arkansas resident? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(B) Will you be eighteen (18) years of age before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(C) Are you presently adjudged mentally incompetent by a court of competent jurisdiction? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(D) Have you ever pleaded guilty or nolo contendere to, or found guilty of a felony without your sentence having been discharged or pardoned? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(E) Do you claim the right to vote in another county or state? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If you checked No in response to either questions A or B, do not complete this form. If you checked Yes in response to one or more of questions C, D or E, do not complete this form.</p>	<p>Signature of elector - Please sign full name or put mark.</p> <hr/> <p>10</p> <p>Date: _____ Month / Day / Year</p> <p>If applicant is unable to sign his/her name, provide name, address and phone number of the person providing assistance: Name: _____ Address: _____ City: _____ State: _____ Phone#: _____</p>
----------	---	--

<p>Please complete the sections below if:</p> <ul style="list-style-type: none"> You were previously registered in another county or state, or You wish to change the name or address on your current registration. 	<p style="text-align: center;">MAIL REGISTRANTS: PLEASE SEE SECTION D.</p> <p>Agency Code (For Official Use Only)</p>
--	--

A	Mr. Mrs. Miss Ms.	Previous Last Name	Jr. Sr. II. III. IV.	First Name	Middle Name(s)
----------	----------------------------	--------------------	----------------------------	------------	----------------

Date of Birth _____
 Month / Day / Year

B	Previous House Number and Street Name	Apt. or Lot #	City or Town	County	State	Zip Code
----------	---------------------------------------	---------------	--------------	--------	-------	----------

If you live in a rural area but do not have a house or street number, or if you have no address, please show on the map where you live.

C	<ul style="list-style-type: none"> Write in the names of the crossroads (or streets) nearest where you live. Draw an "X" to show where you live. Use a dot to show any schools, churches, stores or other landmarks near where you live and write the name of the landmark. 									
Example	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">Route #2</td> <td style="width:40%; border: 1px solid black; padding: 5px;"> <ul style="list-style-type: none"> Grocery Store </td> <td style="width:50%; text-align: center;">NORTH ↑</td> </tr> <tr> <td></td> <td style="border: 1px solid black; padding: 5px;">Woodchuck Road</td> <td></td> </tr> <tr> <td></td> <td style="border: 1px solid black; padding: 5px;"> <ul style="list-style-type: none"> Public School </td> <td style="text-align: center; vertical-align: middle;">X</td> </tr> </table>	Route #2	<ul style="list-style-type: none"> Grocery Store 	NORTH ↑		Woodchuck Road			<ul style="list-style-type: none"> Public School 	X
Route #2	<ul style="list-style-type: none"> Grocery Store 	NORTH ↑								
	Woodchuck Road									
	<ul style="list-style-type: none"> Public School 	X								

IDENTIFICATION REQUIREMENTS

IMPORTANT: If you are a first time registrant submitting this application by mail, a copy of a current and valid photo ID or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address **MUST** be submitted with this application in order to avoid additional ID requirements upon voting for the first time.