

"AN ACT TO AMEND ARKANSAS STATUTE 3-802 TO REDUCE THE PERIOD OF TIME COUNTY BOARDS OF ELECTION COMMISSIONERS MUST PRESERVE ELECTION BALLOTS; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 2 of Article 8 of Act 465 of 1969, the same being Arkansas Statute 3-802, is hereby amended to read as follows:

"Section 2. The County Board of Election Commissioners shall retain the custody of and safely keep all ballots and certificates returned to them from the several precincts for a period of ninety (90) days, after which time the same shall be destroyed, unless the commissioners shall be sooner notified in writing, that the election of some person(s) voted for at such election and declared to have been elected, has been contested, or that criminal prosecution has been begun against any officer of election, or person voting thereat, for any fraud in said election, before a tribunal of competent jurisdiction, in which event, so many of said ballots and certificates as may relate to matters involved in said contest, or any prosecution, shall be preserved for use as evidence in such contest or prosecution. During the time such ballots may be retained, the package containing the same shall not be opened by anyone unless directed to do so by some competent tribunal before which an election contest or prosecution is pending, in which such ballots are to be used as evidence.

Provided, further, that the county treasurer shall retain the custody of and safely keep all ballot stubs sealed in ballot stub boxes which are delivered to him from the several precincts for a period of ninety (90) days, after which time the same shall be destroyed unless there has been filed an election contest or a criminal prosecution has been initiated in connection with the election."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 3/31/87

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