

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Mullenix**

A Bill

ACT 461 OF 1995
HOUSE BILL 1452

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE §§7-5-208 AND 7-5-307 TO
REQUIRE THE BALLOT NUMBER TO BE PRINTED ON THE BALLOT STUB
PORTION OF THE BALLOT; AND FOR OTHER PURPOSES."

Subtitle

"TO REQUIRE THE BALLOT NUMBER TO BE
PRINTED ON THE BALLOT STUB PORTION OF
THE BALLOT"

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

SECTION 1. Arkansas Code 7-5-208 is amended to read as follows:

"7-5-208. Ballots - Form.

(a) All election ballots provided by the county board of election commissioners of any county in this state for any election shall be alike and shall be printed in plain type.

(b) Each ballot shall be printed on a single sheet of paper with a perforated portion capable of being detached for use as the ballot stub.

(c) As ballots are printed, the portion that shall be used as the ballot stub, shall be numbered consecutively from one (1) to the number which is the total amount of ballots provided for the election.

(d) On the back or outside of the ballot shall be printed the words _OFFICIAL BALLOT for_, followed by the appropriate designation for the particular election and its date.

(e) The heading on the front or inner side of each ballot shall be: _OFFICIAL BALLOT ELECTION, 19 . .

Vote by placing an "X" in the square opposite the person for whom you wish to vote._

If the ballot contains an initiated or referred amendment, act, or

1 measure, the heading shall also contain these words - Vote on amendments,
2 acts, and measures by placing an "X" in the square above the amendment (or act
3 or measure) either FOR or AGAINST.

4 (f)(1) Every ballot shall contain the name of each candidate who has
5 been nominated or has qualified in accordance with law for each office. The
6 names of the candidates shall be listed in a perpendicular column under the
7 name of each office to be filled.

8 (2)(A) However, the names of all unopposed candidates for offices
9 for which no notice has been filed within the time prescribed in § 7-5-205,
10 except the names of all unopposed candidates for the office of mayor or
11 circuit clerk, shall be grouped together on the ballot indicating the office
12 and the name of the unopposed candidate for each office in a single column.
13 At the top of the list of the names of all unopposed candidates shall appear
14 on the ballot the words Unopposed Candidates, and to the right thereof there
15 shall be a square in which the voter may cast a vote for all the candidates by
16 placing an "X" in the square.

17 (B) The names of unopposed candidates for the office of
18 mayor or circuit clerk shall be separately printed from any grouping of
19 unopposed candidates, with a square in which the voter may cast a vote for
20 each unopposed candidate for the office of mayor or circuit clerk by placing
21 an "X" in the square, so that the votes may be separately counted and
22 tabulated as required in § 7-5-315.

23 (3) In all elections, except primary elections, at the bottom of
24 each list of names for each position or office appearing on the ballot there
25 shall be a blank line or lines, for possible write-in votes for that position
26 or office. However, the blank line shall not appear on the ballot with
27 respect to those offices and candidates for positions in which no person has
28 qualified as a write-in candidate by filing his intentions to be a write-in
29 candidate within the time prescribed in § 7-5-205.

30 (4) The order in which the names of the respective candidates
31 shall appear on the ballots shall be determined by lot at a public meeting of
32 the county board of election commissioners not less than thirty-five (35) days
33 prior to the general elections; it is expressly understood and provided that
34 the selection on the order of the ballot in all other elections shall be and
35 remain as provided by law.

1 (5) Beside the name of each candidate in the general election
2 shall be his party designation or the name _INDEPENDENT_ if he represents no
3 officially recognized party.

4 (g) At the right of the name of each candidate and on the same line
5 there shall be a square. Above each act, amendment, or measure to be voted on
6 there shall be the words _FOR_ and _AGAINST_ - one above the other with a
7 square to the right of each word and on the same line. With respect to all
8 offices and the candidates for those offices who are unopposed and have been
9 grouped together in the manner provided in subsection (f) of this section, the
10 names of all those candidates and their respective offices shall appear under
11 the heading of _Unopposed Candidates_. The elector shall vote on each and all
12 such candidates by casting a single vote in a square placed to the right of
13 the heading _Unopposed Candidates_ as provided in subdivision (f)(2) of this
14 section.

15 (h) Opposite the designation of each office there shall appear these
16 words: _VOTE FOR_. The number of persons required to fill the
17 vacancy in office shall be placed in the blank space as:

18 _Justice of the Peace VOTE FOR TEN (10)._"
19

20 SECTION 2. Arkansas Code 7-5-307 is amended to read as follows:

21 "7-5-307. Judge's initials.

22 Before giving the voter a ballot, the judge shall initial the back of
23 the ballot."
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25 SECTION 3. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.
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29 SECTION 4. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.
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35 SECTION 5. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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APPROVED: 2-27-95

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