

1 State of Arkansas
2 79th General Assembly
3 Regular Session, 1993

A Bill

ACT 511 OF 1993
HOUSE BILL 1051

4 *By: Representatives Beatty, Stewart, Mahony, Willems, Flanagan, Parkerson, Walker,*
5 *Allen, Dietz, Pryor, Argue, and Molinaro*

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 7-4-107
10 TO PROVIDE THAT ELECTION CLERKS AND JUDGES MAY
11 WORK SPLIT OR HALF-DAY SHIFTS AT THE POLLS IF THE
12 COUNTY BOARD OF ELECTION COMMISSIONERS
13 APPROVES; AND FOR OTHER PURPOSES."

Subtitle

16 "TO PROVIDE THAT ELECTION CLERKS AND JUDGES MAY
17 WORK SPLIT OR HALF-DAY SHIFTS IF THE COUNTY
18 BOARD OF ELECTION COMMISSIONERS APPROVES."

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

22 SECTION 1. Arkansas Code § 7-4-107(a) is hereby amended to read as follows:

23 "(a) The county board of election commissioners shall proceed to establish and allocate
24 a sufficient number of ballot boxes in each precinct or polling place not using voting machines.
25 The county board of election commissioners, or the county committee in a primary election,
26 shall appoint the requisite number of judges and clerks at each ballot box to ensure that, based
27 upon the votes in the immediately preceding comparable election, there is a sufficient number
28 of judges and clerks at each ballot box so that no set of judges and clerks will count more than
29 three hundred (300) ballots or more than two hundred (200) absentee ballots following the
30 close of the polls. In any event, other than counties using voting machines or electronic
31 scanning equipment, there shall be at least one (1) set of three (3) judges and two (2) clerks
32 for each voting precinct. There shall be only two (2) judges for each voting precinct in counties
33 using electronic scanning equipment. The board may permit judges and clerks to work half-
34 day or split shifts at the polls at any election so long as the requisite number of judges and
35 clerks are always present. At the time of appointment of election judges and clerks, the board
36 shall also appoint one (1) election sheriff for each polling place in the county."

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SECTION 2. Arkansas Code § 7-4-107(d) is hereby amended to read as follows:

"(d) In any county using voting machines, the county board of election commissioners shall appoint one (1) judge and one (1) clerk to represent each the majority and the minority parties at each polling place and to supervise and conduct the election. The county board of election commissioners shall select one (1) election sheriff for each polling place to serve on a nonpartisan basis. Additional sets of judges and clerks may be appointed at each polling place if the county board of election commissioners determines they are necessary, and the board may permit judges and clerks to work half-day or split shifts at the polls at any election so long as the requisite number of judges and clerks are always present."

SECTION 3. Subsection (b) of Arkansas Code Annotated 7-5-614 is hereby amended to read as follows:

"(b) If the votes are to be tabulated at a central location:

(1) The judges and clerks of election shall place all vote cards that have been cast in the container provided for the purpose. This container shall be sealed and delivered forthwith by the judges of election. If both judges cannot accompany the delivery of the container, then at least one (1) judge and at least one (1) clerk designated by the judges will accompany the container to the counting location or other designated place, together with the unused, void, and defective vote cards and returns.

(2) All proceedings at the counting location shall be under the direction of two (2) judges named by the county committee of each political party with respect to primary elections and under the direction of two (2) judges named by the county board of election commissioners with respect to general and special elections. In general and special elections, no more than two (2) of the judges shall be of the same political party."

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

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SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Beatty, et al

APPROVED: 03-16-93