Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 501 of the Regular Session

1	State of Arkansas	As Engrossed: S2/8/05 H2/22/05		
2	85th General Assembly	A Bill		
3	Regular Session, 2005		SENATE BILL 235	
4				
5	By: Senators Steele, J. Bookou	t, Broadway, Brown, Bryles, Capps, Critche	er, Glover, Higginbothom,	
6	Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Malone, T. Smith, Trusty, Wilkinson, Wooldridge			
7	By: Representatives J. Johnson, Cook, Dunn, Edwards, L. Evans, Jeffrey, Mathis, Maxwell, McDaniel,			
8	Reep, Saunders, Sumpter, Thom	ıpson, Wood		
9				
10				
11		For An Act To Be Entitled		
12	AN ACT CO	ONCERNING PRESIDENTIAL PREFERENT	IAL	
13	PRIMARY E	ELECTIONS; AND FOR OTHER PURPOSES	S.	
14				
15		Subtitle		
16	AN ACT	CONCERNING PRESIDENTIAL		
17	PREFER	RENTIAL PRIMARY ELECTIONS.		
18				
19				
20	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF A	ARKANSAS:	
21				
22	SECTION 1. Arkan	sas Code § 7-8-201 is amended to	read as follows:	
23	7-8-201. Prefere	ntial elections required - Appor	ctionment of delegates.	
24	(a)(l) Each poli	tical party in the state desirin	ng to select delegates	
25	to attend a quadrennial	national nominating convention	of the party to select	
26	a nominee for the office	e of President of the United Sta	ates shall hold a	
27	presidential preferentia	al primary election in the state	e, and the delegates to	
28	the national party conv	ention shall be apportioned to t	the presidential	
29	candidates whose names	were on the ballot at the <u>presid</u>	lential preferential	
30	primary or to "uncommit	ted" in the proportion that the	votes cast for each	
31	candidate or for "uncom	mitted" bear to the total votes	cast at the election,	
32	rounded to the closest	whole number.		
33	(2) Preside	ential preferential primary elec	ctions shall be held on	
34	the first Tuesday in Fe	bruary of the year in which the	convention is held.	
35	(3)(A) Any	person desiring to have his or	her name printed on	



1	the presidential preferential primary ballot as a candidate for his or her	
2	party's nomination shall file a party certificate with the Secretary of Stat	
3	during regular office hours in the period beginning at 12:00 noon on the	
4	first Monday in November and ending at 12:00 noon on the fourteenth day	
5	thereafter before the presidential preferential primary election.	
6	(B) Each political party shall:	
7	(i) Be responsible for determining the	
8	qualifications of candidates seeking to appear on the presidential	
9	preferential primary ballot of each political party;	
10	(ii) Provide necessary applications for candidacy;	
11	(iii) Accept and process the applications; and	
12	(iv) Determine the order that candidates shall	
13	appear on the ballot.	
14	(4) The cost of the presidential preferential primary election	
15	shall be borne by the State of Arkansas and shall be paid from an	
16	appropriation made to the State Board of Election Commissioners for that	
L 7	purpose.	
18	(5)(A) The State Board of Election Commissioners shall have the	
19	primary responsibility for conducting presidential preferential primary	
20	elections.	
21	(B) Within each county, the presidential preferential	
22	primary election shall be conducted by the county board of election	
23	commissioners under the direction of the State Board of Election	
24	Commissioners.	
25	(C) The State Board of Election Commissioners shall have	
26	authority to adopt rules for the administration of presidential preferential	
27	primary elections consistent with the election laws of this state.	
28	(D) The State Board of Election Commissioners may withhold	
29	reimbursement of funds to counties for state-funded presidential preferential	
30	primary elections for failure to comply with the rules developed by the State	
31	Board of Election Commissioners for the administration of primary elections	
32	or applicable state election laws until all requirements are met to the	
33	satisfaction of the State Board of Election Commissioners.	
34	(b)(l) Presidential preferential primary election procedures not	
35	addressed in this section shall be governed by the general election laws of	
36	this state, including, but not limited to, laws governing primary elections.	

1	(2) Party rules shall govern presidential preferential primary
2	election procedures not addressed by the general election laws of this state.
3	
4	SECTION 2. Arkansas Code § 7-8-204 is amended to read as follows:
5	7-8-204. Rules for selection of delegates and alternates.
6	Each political party holding a presidential preferential primary
7	election in the state shall adopt appropriate rules for the selection of
8	delegates and alternate delegates to the quadrennial national nominating
9	convention of the party and to otherwise carry out the intent and purposes of
10	this subchapter.
11	
12	SECTION 3. Arkansas Code § 7-8-302(5)(A), concerning political party
13	candidates for president and vice president, is amended to read as follows:
14	(5)(A) In order to have the name of a political party's candidates for
15	President and Vice President printed on the ballot, a political party shall
16	nominate by hold a presidential preferential primary election. A new
17	political party formed pursuant to the petition process may nominate by
18	convention if the presidential election is the first general election after
19	certification as a party by the Secretary of State.
20	
21	/s/ Steele, et al
22	
23	
24	APPROVED: 3/02/2005
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	

1