Stricken language would be deleted from and underlined language would be added to present law. Act 460 of the Regular Session

1	State of Arkansas	As Engrossed: S3/7/23 A D:11	
2	94th General Assembly	A Bill	
3	Regular Session, 2023	SENATE BILL 253	
4			
5	By: Senators Crowell, K. Hammer, Dees, M. McKee, J. Petty, Stone		
6	By: Representatives Pilkington, Wing, Achor, Andrews, Barker, Beaty Jr., Beck, Bentley, M. Berry,		
7	Breaux, Brooks, K. Brown, M. Brown, Burkes, Joey Carr, C. Cooper, Cozart, Evans, C. Fite, L. Fite,		
8	Fortner, Furman, Gazaway, Gonzales, Gramlich, Haak, Hawk, Hollowell, Jean, Ladyman, Long,		
9	Lundstrum, Lynch, McAlindon, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S.		
10	Meeks, Miller, Milligan, K. Moore, Painter, Pearce, Puryear, R. Scott Richardson, Richmond, Rose, Rye,		
11	Schulz, Steimel, Tosh, Under	wood, Vaught, Womack, Wooldridge, Wooten	
12			
13		For An Act To Be Entitled	
14	AN ACT TO	AMEND THE LAW CONCERNING DAMAGED BALLOTS;	
15	TO AMEND THE LAW CONCERNING ELECTION PROCEDURES; AND		
16	FOR OTHER	PURPOSES.	
17			
18			
19		Subtitle	
20	TO A	MEND THE LAW CONCERNING DAMAGED	
21	BALLO	OTS; AND TO AMEND THE LAW CONCERNING	
22	ELEC	TION PROCEDURES.	
23			
24			
25	BE IT ENACTED BY THE G	SENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
26			
27	SECTION 1. Arka	nsas Code § 7-5-615(d) and (e), concerning the	
28	tabulations of votes,	defective ballots, and the certification of returns,	
29	are amended to read as	follows:	
30	(d) <u>(l)</u> If any b	allot is damaged or defective so that it cannot	
31	properly be counted by the electronic vote tabulating device, a true		
32	duplicate copy shall be made of the damaged ballot in the presence of		
33	tabulation election of	ficials if the votes are tabulated at a central	
34	location. The duplicate shall be substituted for the damaged ballot. All		
35	duplicate ballots shal	1 be clearly labeled "duplicate" and shall be counted	
36	in lieu of the damaged	or defective ballot.	

1	(2) When duplicating a ballot, and in the presence of another	
2	election official, an election official shall:	
3	(A) Reproduce the selections of the voter on a second	
4	ballot that is the same ballot style as the ballot cast by the voter;	
5	(B) Stamp or write the word "duplicate" on the duplicated	
6	ballot;	
7	(C) Stamp or write the word "original" on the original	
8	damaged or defective ballot;	
9	(D) Label both the original damaged or defective ballot	
10	and the duplicate ballot with the same unique serial number;	
11	(E) Substitute the duplicated ballot for the original	
12	damaged or defective ballot;	
13	(F) Count the duplicated ballots in the same manner as	
14	other ballots in that election; and	
15	(G) Secure and separately store the original damaged or	
16	defective ballots in the same manner as other ballots in that election.	
17	(3) The duplication of a damaged or defective ballot counted at	
18	the central counting facility shall be conducted by an election official at	
19	the same time and location that ballots with no defects are counted.	
20	(4) The duplication of a damaged or defective ballot cast at a	
21	polling site shall be delivered securely to the county board of election	
22	commissioners to be duplicated by election officials or added to the	
23	precinct's count manually on the night of the election.	
24	(e) The return printed by the electronic vote tabulating device, to	
25	which $\frac{1}{2}$ been added the return of write-in, early, and absentee votes $\frac{1}{2}$	
26	been added, shall constitute the official return of each polling site. All	
27	returns shall be certified by the election officials in charge of the	
28	tabulation thereof in the manner provided by law.	
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30	/s/Crowell	
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33	APPROVED: 4/4/23	
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