

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representatives Flanagin, Brown and Tullis**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-8-302 TO ESTABLISH A TIME
9 LIMIT FOR A POLITICAL PARTY OR GROUP TO CERTIFY TO THE
10 SECRETARY OF STATE ITS LIST OF ELECTORS OF PRESIDENT AND
11 VICE-PRESIDENT OF THE UNITED STATES; AND FOR OTHER
12 PURPOSES."

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

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16 SECTION 1. Arkansas Code 7-8-302 is amended to read as follows:

17 "7-8-302. Election and certification of electors - Ballots - Contesting
18 conventions - Vacancy.

19 Choosing and election of electors of President and Vice-President of the
20 United States shall be in the following manner:

21 (1) (A) In each year in which a President and Vice-President of the
22 United States are chosen, each political party or group in the state shall
23 choose by its state convention electors of President and Vice-President of the
24 United States. The state convention of the party or group shall also choose
25 electors at large if any are to be appointed for the state;

26 (B) The state convention of the party or group shall, by its
27 chairman and secretary, certify to the Secretary of State the total list of
28 electors together with electors at large so chosen. The certificate shall be
29 filed no later than the fifteenth day of September in the year of the
30 election. The filing of the certificate with the Secretary of State shall be
31 deemed and taken to be the choosing and selection of the electors of this
32 state, if the party or group is successful at the polls, as provided in this
33 subchapter, in choosing their candidates for President and Vice-President of
34 the United States;

35 (C) The certification by the respective political parties or

1 groups in this state of electors of President and Vice-President shall be made
2 to the Secretary of State within two (2) days after the state convention;

3 (2) (A) Should more than one (1) certificate of choice and selection of
4 electors of the same political party or group be filed by contesting
5 conventions or contesting groups, it shall be the duty of the constitutional
6 officers of this state within ten (10) days after the adjournment of the last
7 of the conventions to meet in the Office of the Governor and determine which
8 set of nominees for electors of the party or group was chosen and selected by
9 the authorized convention of the party or group;

10 (B) The Secretary of State shall notify the state officers of the
11 date, time, and place of the meeting;

12 (C) At the meeting a majority of the officers present, after
13 notice, to the chairman and secretaries or managers of the conventions or
14 groups and after a hearing, shall determine which set of electors was chosen
15 by the authorized convention and shall so announce and publish the fact, and
16 the decision shall be final and the set of electors determined by said state
17 officers to be chosen shall be the list or set of electors to be deemed
18 elected if that party shall be successful at the polls, as herein provided;

19 (3) Should a vacancy occur in the choice of an elector, the vacancy may
20 be filled by the state executive committee of the party or group, to be
21 certified by the committee to the Secretary of State of Arkansas;

22 (4) (A) The names of the candidates of the several political parties or
23 groups for electors of President and Vice-President shall not be printed on
24 the official ballot to be voted in the election to be held on the day provided
25 in § 7-8-301. In lieu of the names of the candidates for electors, the name
26 of the candidate for President and the name of the candidate for
27 Vice-President with the particular political party designation of each shall
28 be printed within a bracket with a square to the right of the bracket. Each
29 voter in this state may choose and elect one (1) list or set of electors from
30 the several lists or sets of electors chosen and selected by the respective
31 political parties or groups, by placing a cross in the square to the right of
32 the bracket aforesaid of one (1) of the parties or groups;

33 (B) Placing a cross within the square before the bracket
34 enclosing the names of President and Vice-President shall not be deemed and
35 taken as a direct vote for the candidates for President and Vice-President, or

1 either of them, but shall only be deemed and taken to be a vote for the entire
2 list or set of electors chosen by the political party or group so certified to
3 the Secretary of State as herein provided. Voting by means of placing a cross
4 in the appropriate place following the names of the candidates for President
5 and Vice-President shall not be deemed or taken as a direct vote for the
6 candidates for President and Vice-President, or either of them, but instead,
7 as to the Presidential vote, as a vote for the entire list or set of electors
8 chosen by that political party or group so certified to the Secretary of State
9 as herein provided."

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11 SECTION 2. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 3. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 4. All laws or parts of laws in conflict with this act are
22 hereby repealed.

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