

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Hopkins**

A Bill

SENATE BILL 129

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-5-501 (e) TO DELETE A
9 SPECIAL REQUIREMENT IN CERTAIN MUNICIPALITIES AND COUNTIES
10 THAT AN ELECTION BE HELD TO AUTHORIZE A CHANGE IN VOTING
11 MACHINES OR ELECTRONIC VOTING SYSTEMS; 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 7-5-501 (e) is amended to read as follows:

17 "(e) In municipalities or counties which acquired voting machines or
18 electronic voting systems, or which voted to do so before April 6, 1979,
19 nothing in this section and §§ 7-5-604 and 7-5-605 or present laws shall
20 prohibit such municipalities or counties from using any method of voting
21 authorized by law, whether singly or in combination with any other authorized
22 voting method. *However, no municipality or county shall implement the method*
23 *of voting and vote counting which was in use prior to the election that*
24 *authorized voting machines or electronic voting systems, without an election*
25 *authorizing such a change."*

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

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31 SECTION 3. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is found and determined by the General Assembly of the State of Arkansas that currently lever or mechanical voting machines are used in a number of counties and municipalities; that to obtain additional machines or replacement parts for the machines is impossible or impractical; that this act is necessary to insure that all voters have a reasonable opportunity to vote in an election and to prevent unnecessary cost and delays. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/Hopkins