

*As Engrossed: 1/14/93*

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

# **A Bill**

**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 TO  
10 PROVIDE THAT ELECTION CLERKS AND JUDGES MAY WORK SPLIT OR  
11 HALF-DAY SHIFTS AT THE POLLS IF THE COUNTY BOARD OF  
12 ELECTION COMMISSIONERS APPROVES; AND FOR OTHER PURPOSES."

## **Subtitle**

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

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

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

1 may permit judges and clerks to work half-day or split shifts at the polls at  
2 any election so long as the requisite number of judges and clerks are always  
3 present. At the time of appointment of election judges and clerks, the board  
4 shall also appoint one (1) election sheriff for each polling place in the  
5 county."

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

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

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

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

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

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

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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.

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

*/s/Beatty, et al*

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