

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.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

SENATE BILL 730

5 By: Senator Womack
6
7

For An Act To Be Entitled

8 AN ACT TO REVISE CERTAIN PROVISIONS CONCERNING
9 NONPARTISAN ELECTIONS; AND FOR OTHER PURPOSES.
10

Subtitle

11 AN ACT TO REVISE CERTAIN PROVISIONS
12 CONCERNING NONPARTISAN ELECTIONS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code 7-5-405(a), regarding applications for
20 absentee ballots, is amended to read as follows:

21 (a) Applications for absentee ballots may be made on a form furnished
22 by the county clerk, and the county clerk shall supply a form substantially
23 similar to the following form or an electronic facsimile of a substantially
24 similar form via telephonic transmission on request at least sixty (60) days
25 before the election:

26 "IF YOU PROVIDE FALSE INFORMATION ON THIS FORM, YOU MAY BE GUILTY OF
27 PERJURY AND SUBJECT TO A FINE OF UP TO \$10,000 OR IMPRISONMENT FOR UP TO 10
28 YEARS.

29 Date
30 To: County Clerk
31 County
32, Arkansas

33 (1) I am a qualified elector of precinct in
34 (City, Town), County, Arkansas. Because I:

35 [check one]

36 [] Will be unavoidably absent from my polling site on election day, or



[] Will be unable to attend the polls on election day because of illness or physical disability,

I am requesting that you provide me with the appropriate absentee ballot(s) for the following elections: (check only one (1) political party):

~~[] Nonpartisan Judicial General Election~~
[] Preferential Primary [] Democratic [] Republican

~~[] Democratic/ Nonpartisan Judicial General Election~~
~~[] Republican/ Nonpartisan Judicial General Election~~

[] General Primary (Runoff) [] Democratic [] Republican
[] Annual School Election

[] General Election
[] General Runoff

[] Special [] School Runoff

[] All elections for calendar year [designate party] (I understand that if I select all elections for the calendar year that the absentee ballots will be delivered to me only by mail.)

The application shall remain in effect for the current calendar year unless revoked by voter.

(2) I will receive my ballot(s): [check one]

[] By coming to the office of the county clerk by the time the county clerk's office regularly closes on the day before the election.

[] By mail. I request that you mail my ballot(s) to the following address:

.....
.....

[] By bearer (insert name of relative, agent, or designated bearer)

The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be subject to a fine of up to ten thousand dollars (\$10,000) or imprisonment for up to ten (10) years, or both, under federal or state laws.

.....

Printed or typed name of voter Signature of voter

.....

Residence address of voter Date of birth

.....

1 City or Town, Zipcode Signature of Designated Bearer, Relative, or
2 Authorized Agent."
3

4 SECTION 2. Arkansas Code 7-10-102(b) and (c), regarding the
5 nonpartisan election of judges and justices, is amended to read as follows:

6 (b)(1) ~~The general elections for nonpartisan judicial offices shall be~~
7 ~~held on the same dates and at the same times and places as provided by law~~
8 ~~for preferential primary election~~ Nonpartisan judicial offices shall be
9 filled by election at the November general election.

10 (2) The names of candidates for nonpartisan judicial offices
11 shall be ~~included on the ballots of the political parties and shall be~~
12 ~~designated as nonpartisan judicial candidates. However, separate ballots~~
13 ~~containing only the names of nonpartisan judicial candidates shall be~~
14 ~~prepared and shall be made available to voters requesting the same.~~

15 (3) ~~No voter shall be required to vote in a political party's~~
16 ~~preferential primary in order to be able to vote in nonpartisan judicial~~
17 ~~elections.~~

18 (c)(1) No person shall be elected to a nonpartisan judicial office
19 without receiving a majority of the votes cast at the election for the
20 office.

21 (2) In any nonpartisan judicial election in which no person
22 receives a majority of the votes cast, the two (2) candidates receiving the
23 highest ~~and next highest~~ number of votes shall be certified to a runoff
24 election which shall be held ~~on the same date and at the same times and~~
25 ~~places as~~ three (3) weeks following the November general election.

26 (3) ~~The names of the candidates in a nonpartisan judicial runoff~~
27 ~~election shall be placed on the same ballots as used for the November general~~
28 ~~elections.~~

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30 SECTION 3. Arkansas Code § 7-5-407(a), concerning the preparation and
31 delivery of ballots, is amended to read as follows:

32 (a) The county board of election commissioners shall prepare official
33 absentee ballots and deliver them to the county clerk for mailing to all
34 qualified applicants as soon as practicable but in any event not later than
35 twenty-five (25) days before a preferential primary, general election, school
36 election, ~~nonpartisan judicial general election, nonpartisan judicial runoff~~

1 ~~election,~~ or any special election.

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