1   State of Arkansas

2   91st General Assembly   A Bill

3   Regular Session, 2017   HOUSE BILL 2035

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5   By: Representative D. Douglas

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8   **For An Act To Be Entitled**

9   AN ACT TO AMEND THE DATES FOR PROCESSING ABSENTEE

10   BALLOTS; AND FOR OTHER PURPOSES.

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13   **Subtitle**

14   TO AMEND THE DATES FOR PROCESSING

15   ABSENTEE BALLOTS.

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

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20   SECTION 1. Arkansas Code § 7-5-416(a), concerning counting of absentee

21   ballots, is amended to read as follows:

22   (a)(1) The election officials for absentee ballots ~~shall~~ may meet in a

23   place designated by the county board of election commissioners no earlier

24   than <u>the Tuesday before the election for the purpose of opening the outer</u>

25   <u>envelope, processing, and canvassing of absentee ballot paper work and no</u>

26   <u>earlier than</u> 8:30 a.m. on election day for the purpose of ~~processing~~ <u>opening</u>

27   <u>the inner absentee ballot envelope and counting the</u> absentee ballots.

28   (2) The county board shall give public notice of the time and

29   location of the opening, processing, canvassing, and counting of absentee

30   ballots and early voting ballots as provided in § 7-5-202.

31   (3) ~~On election day, the~~ <u>The</u> county clerk shall forward the

32   following items to the election officials designated by the county board to

33   open, process, canvass, and count absentee ballots:

34   (A) The absentee ballot applications sorted alphabetically

35   or by precinct;

36   (B) The absentee ballots; and

1   (C) A written report containing the following information:
2   (i) The number of absentee ballot applications
3   received by the county clerk;
4   (ii) The number of absentee ballots sent by the
5   county clerk;
6   (iii) The number of absentee ballots returned to the
7   county clerk;
8   (iv) The number of absentee ballots rejected by the
9   county clerk and the reason for the rejection;
10   (v) The number of absentee ballots marked as
11   received on the paper absentee ballot applications list; and
12   (vi) If the number of absentee ballots returned to
13   the county clerk and the number of absentee ballots marked as received on the
14   paper absentee ballot lists are different and the reason for the difference
15   is known, the reason for the difference.
16   (4) The processing and counting of absentee ballots shall be
17   open to the public, and candidates and authorized poll watchers may be
18   present in person or by a representative designated in writing under § 7-5-
19   312 during the opening, processing, canvassing, and counting of the absentee
20   ballots as provided in this subchapter.
21   (5)(A) Absentee and early votes shall be counted prior to the
22   closing of the polls on election day as provided under this section.
23   (B)(i) ~~No later than thirty (30) minutes after the polls~~
24   ~~close on election day, the~~ The county board of election commissioners shall
25   report by precinct the initial count of early votes and absentee ballot votes
26   to the Secretary of State as provided under § 7-5-701 <u>as soon as practical</u>
27   <u>after the polls close on election day</u>.
28   (ii) No election results of the precinct shall be
29   printed, posted, or released until after the polls close on election day.
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31   SECTION 2. Arkansas Code § 7-5-416(b)(1)(E), concerning counting of
32   absentee ballots, is amended to read as follows:
33   (E) As each outer envelope is opened and the name of the
34   voter is read, the election officials for the absentee box shall list ~~in~~
35   ~~duplicate~~ the name and voting precinct of the voter;
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1   SECTION 3. Arkansas Code § 7-5-416(b)(L)(i), concerning counting of
2 absentee ballots, is amended to read as follows:
3   (L)(i) After all of the outer envelopes have been opened
4 ~~and a list has been made in duplicate of the name and voting precinct of the~~
5 ~~voters as required in this section~~, the election officials of the absentee
6 box shall preserve all the statements of voters and the voters'
7 identification documents and deliver them to the county clerk, who shall file
8 and keep them for the same length of time after the election as is required
9 for retention of other ballots.
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