

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: H2/13/19

# A Bill

HOUSE BILL 1364

5 By: Representative M. Gray  
6 By: Senator J. Sturch  
7

## For An Act To Be Entitled

9 AN ACT TO REQUIRE A CANDIDATE TO USE HIS OR HER  
10 SURNAME ON A BALLOT IN AN ELECTION; TO AMEND THE LAW  
11 CONCERNING BALLOTS; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO REQUIRE A CANDIDATE TO USE HIS OR HER  
16 SURNAME ON A BALLOT IN AN ELECTION; AND  
17 TO AMEND THE LAW CONCERNING BALLOTS.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 7-7-305(c), concerning the name to be  
23 printed on the ballot in a primary or general election, is amended to read as  
24 follows:

25 (c)(1)(A) A person who files for an elective office in this state may  
26 use not more than three (3) given names, one (1) of which may be a nickname  
27 or any other word used to identify the person to the voters, and may add as a  
28 prefix to his or her name the title or an abbreviation of an elective public  
29 office the person currently holds.

30 (B) A person may use as the prefix the title of a  
31 nonpartisan judicial office in an election for a nonpartisan judicial office  
32 only if:

33 (i) The person is currently serving in a nonpartisan  
34 judicial office to which the person has been elected in the last election for  
35 the office; or

36 (ii) The person:



1 (a) Is a candidate for the office of circuit  
2 judge or district judge;

3 (b) Is currently serving in the office of  
4 circuit judge or district judge as an appointee; and

5 (c) Has been serving in that position for at  
6 least twelve (12) months.

7 (C) A nickname shall not include a professional or  
8 honorary title.

9 (2) The person filing for office shall include his or her  
10 surname in addition to any given names permitted under subdivision (c)(1)(A)  
11 of this section.

12 (3) The names and titles as proposed to be used by each  
13 candidate on the political practice pledge or, if the political practice  
14 pledge is not filed by the filing deadline, then the names and titles that  
15 appear on the party certificate shall be reviewed no later than one (1)  
16 business day after the filing deadline by the Secretary of State for state  
17 and district offices and by the county board of election commissioners for  
18 county, township, school, and municipal offices.

19 ~~(3)(A)(4)(A)~~ The name of every candidate shall be printed on the  
20 ballot in the form as certified by either the Secretary of State or the  
21 county board of election commissioners.

22 (B) However, the county board of election commissioners  
23 may substitute an abbreviated title if the ballot lacks space for the title  
24 requested by a candidate.

25 (C) The county board of election commissioners shall  
26 immediately notify a candidate whose requested title is abbreviated by the  
27 county board of election commissioners.

28 ~~(4)(5)~~ A candidate shall not be permitted to change the form in which  
29 his or her name will be printed on the ballot after the deadline for filing  
30 the political practices pledge.

31  
32 SECTION 2. Arkansas Code § 7-10-103(f), concerning the name to be  
33 printed on the ballot in a nonpartisan judicial election, is amended to read  
34 as follows:

35 (f)(1)(A) A nonpartisan candidate shall not use more than three (3)  
36 given names, one (1) of which may be a nickname or another word used to

1 identify the candidate to the voters.

2 (B)(i) A nonpartisan candidate may add as a prefix to his  
3 or her name the title or an abbreviation of an elective public office the  
4 candidate currently holds.

5 (ii) A candidate may use as the prefix the title of  
6 a nonpartisan judicial office in an election for a nonpartisan judicial  
7 office only if:

8 (a) The candidate is currently serving in a  
9 judicial position to which the candidate has been elected in the last  
10 election for the office; or

11 (b) The candidate:

12 (1) Is a candidate for the office of  
13 circuit judge or district judge;

14 (2) Is currently serving in the position  
15 of circuit judge or district judge as an appointee; and

16 (3) Has been serving in that position  
17 for at least twelve (12) months.

18 (C) A nickname shall not include a professional or  
19 honorary title.

20 (2) The person filing for office shall include his or her  
21 surname in addition to any given names permitted under subdivision (f)(1)(A)  
22 of this section.

23 (3) The names and titles to be used by a candidate on the  
24 political practices pledge shall be reviewed no later than one (1) business  
25 day after the filing deadline by the Secretary of State for a candidate for  
26 Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge,  
27 district judge, and prosecuting attorney.

28 ~~(3)(A)~~(4)(A) The name of each candidate shall be printed on the  
29 ballot in the form as certified by the Secretary of State.

30 (B) The county board of election commissioners may  
31 substitute an abbreviated title if the ballot lacks space for the title  
32 requested by a candidate.

33 (C) The county board of election commissioners immediately  
34 shall notify a candidate whose requested title is abbreviated by the county  
35 board of election commissioners.

36 ~~(4)~~(5) A candidate shall not change the form in which his or her

1 name will be printed on the ballot after the deadline for filing the  
2 political practices pledge.

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*/s/M. Gray*

**APPROVED: 3/20/19**