

1 **State of Arkansas**
2 **80th General Assembly**
3 **First Extraordinary Session, 1995**
4 **By: Senator Mahony**

Call Item 5
ACT 7 OF 1995
SENATE BILL 4

A Bill

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-5-101 RELATING TO THE
9 AUTHORITY OF THE COUNTY BOARD OF ELECTION COMMISSIONERS TO
10 DESIGNATE POLLING PLACES IN ELECTION PRECINCTS; AND FOR
11 OTHER PURPOSES."

Subtitle

14 "TO AMEND ARKANSAS CODE 7-5-101 RELATING
15 TO THE DESIGNATION OF POLLING PLACES IN
16 ELECTION PRECINCTS."

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

20 SECTION 1. Arkansas Code 7-5-101 is amended to read as follows:

21 "7-5-101. Precinct boundaries and voting places - Establishment and
22 alteration.

23 (a) The county board of election commissioners are empowered to alter
24 the boundaries of existing election precincts and to establish new ones when,
25 *in their judgment, it may be necessary. The county board of election*
26 *commissioners shall fix a voting place for each election precinct. The*
27 *commissioners may combine voting places for two or more precincts, when, in*
28 *their judgment, it may be necessary. In changing the boundaries of existing*
29 *precincts, or in creating new ones, the commissioners shall arrange them so*
30 *that all qualified voters residing therein may vote on the same day. The*
31 *commissioners shall not have the power to change the boundaries of existing*
32 *precincts, to create any new precinct, or to change the voting place in any*
33 *precinct, within thirty (30) days of any election, but all elections shall be*
34 *held at the places, and within the boundaries, as they existed thirty (30)*
35 *days before the date of the election.*

36 (b) All voting places shall be fixed at well-known points in the

1 several precincts and easily accessible to all electors entitled to vote
2 therein.

3 (c) (1) The action of the commissioners in changing the voting place in
4 any precinct, in altering the boundaries of any precinct, or in establishing
5 any new one, shall be entered in the record to be kept by them. A copy of the
6 order, which shall set out intelligently and accurately the boundaries of
7 precincts as so altered or established, shall be filed with the clerk of the
8 county court who shall record the order at full length on the record book on
9 which the minutes of the proceedings of the county court are recorded.

10 (2) Within thirty (30) days after altering the boundaries of an
11 election precinct or establishing a new one, the county board of election
12 commissioners shall submit four (4) copies of the changes to the Secretary of
13 State. The changes shall be submitted in the form of a map and shall include
14 a written description. A short statement of why the changes were made may be
15 included. Upon receipt of the changes, the Secretary of State shall
16 immediately forward a copy to the office of the Attorney General, State Data
17 Center, and the Cartography Section of the State Highway Department.

18 (d) Notice of any changes made in polling sites shall also be given to
19 the electors by posting information about any such changes prominently at all
20 previous polling sites which were used in the last election.

21 (e) (1) No later than five (5) calendar days before each election, the
22 county board of election commissioners of each county in this state shall give
23 notice of election precinct *polling* locations by means reasonably calculated
24 to reach the registered voters in the county.

25 (2) This subsection does not apply to run-off elections."
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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 hereby found and determined by the General Assembly that the present law relating to the designation of polling places in voting precincts in the state is unduly restrictive and that in the best interests of efficiency and convenience of the voting public, it is necessary that authority of the county board of election commissioners to fix polling places be clarified immediately and that this act is designed to do so. 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/Mahony

APPROVED: 10-19-95

