

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1404

5 By: Representatives Haak, Wing, Achor, Andrews, Barker, Beaty Jr., Beck, Bentley, M. Berry, Breaux,
6 Brooks, K. Brown, M. Brown, Burkes, Joey Carr, C. Cooper, Cozart, Evans, C. Fite, L. Fite, Fortner,
7 Furman, Gazaway, Gonzales, Gramlich, Hawk, Hollowell, Jean, Ladyman, Long, Lundstrum, Lynch,
8 McAlindon, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S. Meeks, Miller,
9 Milligan, K. Moore, Painter, Pearce, Pilkington, Puryear, R. Scott Richardson, Richmond, Rose, Rye,
10 Schulz, Steimel, Tosh, Underwood, Vaught, Womack, Wooldridge, Wooten
11 By: Senators Dees, K. Hammer, M. McKee, J. Petty, Stone

For An Act To Be Entitled

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14 AN ACT TO AMEND ELECTION PROCEDURES CONCERNING BALLOT
15 TABULATORS; AND FOR OTHER PURPOSES.
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Subtitle

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19 TO AMEND ELECTION PROCEDURES CONCERNING
20 BALLOT TABULATORS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 7-5-418(b)(5), concerning early voting
26 procedures, is amended to read as follows:

27 (5)(A) All voted ballots and unvoted ballots and all related
28 election materials at each additional early voting polling site shall be
29 stored in a secure location in the county courthouse or in a secure location
30 as determined by the county board of election commissioners immediately after
31 the close of the additional polling sites each day that early voting is
32 conducted there.

33 (B) If the county board of election commissioners
34 determines that the equipment and materials necessary to operate a polling
35 site will be transferred from one (1) polling site that is opened for a
36 portion of the early voting period to another polling site that is



1 subsequently open during the early voting period, the following provisions
2 shall apply to those polling sites:

3 (i) Ballots cast using a tabulator shall be:

4 (a) Secured at the central location used to
5 secure all other ballots before or contemporaneously with the transportation
6 of the tabulator between early voting locations; and

7 (b) Removed to the storage location in a
8 container designed so that the cast ballots may be secured with a number seal
9 without any election official being able to observe the contents of the
10 ballots; and

11 (ii) Ballots cast using a marking device and a
12 ballot box shall be:

13 (a) Deposited in a separate ballot box secured
14 with a numbered seal for each polling location that is utilized; and

15 (b) Secured at the central location used to
16 secure all other ballots before or contemporaneously with the transportation
17 of the other voting equipment between early voting locations.

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20 **APPROVED: 3/9/23**
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