

"AN ACT TO AMEND ARKANSAS STATUTE 3-714 ESTABLISHING THE PROCEDURE TO BE FOLLOWED WHEN A VOTER'S RIGHT TO CAST A BALLOT IS CHALLENGED; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 14 of Article 7 of Act 465 of 1969, as amended, the same being Arkansas Statute 3-714, is hereby amended to read as follows:

"Section 14. During the progress of any election in this State any candidate in person or by representative designated in writing, shall have the right to be present within the polling place or room so as to observe and ascertain the identity of those persons presenting themselves to vote for the purpose of challenging any voter who appears for the purpose of casting a ballot. When the ballot of any voter is thus challenged, it shall be the duty of the judges and clerks in said election precinct to make and retain a list of the names of all such persons so challenged and the ballots of all such persons shall be counted, preserved and separated from the remaining ballots to the end that the right of any such person to vote may be later determined either by the County Board of Election Commissioners or, in a Primary, the County Committee or the Court in which an election contest may thereafter be filed. If the outcome of the election could not be changed if the challenged ballots are invalidated, the County Board of Election Commissioners is not required to examine those ballots; however, if the outcome of the election could be changed if the challenged ballots were invalidated, then the County Board of Election Commissioners shall, prior to certification of the results of the election, determine whether the challenged ballots are valid. If upon examination of any challenged ballots, the County Board of Election Commissioners suspects that a violation of the election laws has occurred, the Board may refer the matter to the prosecuting attorney."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: April 13, 1987

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