

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 845 OF 1993
HOUSE BILL 1085

4 *By: Representatives Flanagan, Mahony, Walker, Pryor, Argue, and Molinaro*

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §7-5-416 TO
9 PROVIDE THAT *NO ELECTION RESULTS FOR ABSENTEE BALLOTS*
10 *SHALL BE PRINTED OR RELEASED PRIOR TO THIRTY (30) MINUTES*
11 *AFTER THE CLOSE OF THE POLLS; AND FOR OTHER PURPOSES."*

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Subtitle

14 "TO PROVIDE THAT *NO ELECTION RESULTS FOR ABSENTEE BALLOTS*
15 *SHALL BE PRINTED OR RELEASED PRIOR TO 30 MINUTES AFTER THE*
16 *CLOSE OF THE POLLS."*

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

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20 SECTION 1. Subsection (a) of Arkansas Code Annotated §7-5-416 is hereby
21 amended to read as follows:

22 "(a) The judges and clerks for absentee ballots shall meet in the
23 office of the county clerk on election day *for the purpose of processing*
24 *absentee ballots. No election results may be printed or released prior to*
25 *thirty (30) minutes after the close of the polls. Candidates may be present*
26 *in person at any election, and in general or special elections candidates and*
27 *political parties may be present by representative, designated in writing,*
28 *during the opening, canvassing, and counting of the absentee ballots as herein*
29 *provided."*

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31 SECTION 2. Subsection (d) of Arkansas Code Annotated §7-5-416 is hereby
32 amended to read as follows:

33 "(d) *It is the intent of this section to permit the judges and clerks*
34 *for absentee ballots to meet and open the large envelope and make a list in*
35 *duplicate of the name and voting precinct of each voter casting an absentee*
36 *ballot, to write on the stub end of the ballot taken from the large envelope*

1 the number of the voter taken from the list of voters, and to deposit the
2 small envelope containing the ballot in the ballot box and to deposit the one
3 inch (1") ballot stub ends in another ballot box, prior to the closing of the
4 polls on election day."

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6 SECTION 3. Subsection (b) of Arkansas Code Annotated §7-5-416 is hereby
7 amended to read as follows:

8 "(b) The opening, counting, and canvassing shall be conducted as
9 follows:

10 (1) One (1) of the judges shall open large envelopes one by one
11 and as soon as he opens one, he shall read aloud from the statement in the
12 larger envelope the name of the voter and the voting precinct in which he
13 claims to be a legal voter;

14 (2) As each large envelope is opened and the name of the voter is
15 read, the clerks for the absentee box shall list in duplicate the name and
16 voting precinct of the voter and shall write on the stub end of the ballot
17 taken from the large envelope, the number of the voter taken from this list of
18 voters;

19 (3) If no challenge is made and the statement is in proper form,
20 the judge shall, without opening the small envelope containing the ballot,
21 remove the small envelope and place it in the ballot box without marking it in
22 any way;

23 (4) The one inch (1") ballot stub ends shall be placed in a
24 separate ballot box designated for them and retained as are other ballot stub
25 ends;

26 (5) After all of the large envelopes have been opened and a list
27 has been made in duplicate of the name and voting precinct of the voters, as
28 required herein, the judges and clerks of the absentee box shall preserve all
29 the statements of voters and deliver them to the county clerk who shall file
30 and keep them for six (6) months after the election, and the statements shall
31 be made available for public inspection during regular business hours;

32 (6) When all of the small envelopes containing the ballots have
33 been placed in the ballot box and the one inch (1") stub ends have been
34 deposited in a separate box, the ballot box shall be shaken thoroughly so as
35 to mix the ballots."

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