

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/8/99

A Bill

Act 1304 of 1999
HOUSE BILL 1758

5 By: Representatives Harris, Shoffner, T. Thomas, Elliott, King, Haak, Bush, R. Smith, Womack, J.
6 Lewellen, Cleveland, Booker, White, Broadway, L. Thomas, W. Walker, Agee, C. Johnson
7

For An Act To Be Entitled

10 "AN ACT TO AMEND ARKANSAS CODE 7-5-701 RELATING TO THE
11 DECLARATION OF RESULTS FOR ELECTIONS; AND FOR OTHER
12 PURPOSES. "

Subtitle

15 "TO AMEND ARKANSAS CODE 7-5-701 RELATING
16 TO THE DECLARATION OF RESULTS FOR
17 ELECTIONS. "

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 7-5-701 is amended to read as follows:

23 "7-5-701. Declaration of results - Certification, delivery, and custody
24 of returns.

25 (a) As soon as the returns from all the precincts are received, but in
26 no event later than the third calendar day after the election, the county
27 board of election commissioners, from the certificates and ballots received
28 from the several precincts, shall proceed to ascertain, ~~and~~ and
29 certify the result of the election to the Secretary of State, unless the
30 number of absentee ballots is sufficient to affect the election, in which case
31 the county board of election commissioners shall declare results of the
32 election no ~~earlier~~ later than the tenth calendar day after the election. The
33 board, within seven (7) calendar days after the day of the election, or
34 fourteen (14) calendar days if the number of absentee ballots is sufficient to
35 affect the election, shall deliver a certificate of election to any person
36 having the highest numbers of legal votes for any county office.

1 (b) The commissioners shall also file in the office of the clerk of the
2 county court a certificate setting forth in detail the result of the election.

3 (c)(1) Within three (3) days after the comparison and examination of
4 the returns of any election, the county board of election commissioners shall
5 deposit certified copies of the abstracts of the returns of the election for
6 members of Congress and all executive, legislative, and judicial officers in
7 the nearest post office on the most direct route to the seat of government
8 directed to the Secretary of State. The County Board of Election Commissioners
9 shall not receive compensation for election duties after the election until
10 the election results have been certified and delivered to the Secretary of
11 State.

12 (2) They shall at the same time enclose in a separate envelope
13 and direct to the Speaker of the House of Representatives, in care of the
14 Secretary of State, at the seat of government, a certified copy of the
15 abstract of votes given for Governor, Lieutenant Governor, Secretary of State,
16 Treasurer of State, Auditor of State, and Attorney General.

17 (d) It is made the duty of the Secretary of State to safely keep the
18 returns addressed to the Speaker of the House of Representatives until they
19 shall be required for the purpose of ascertaining and declaring the result of
20 the election as prescribed in Arkansas Constitution, Article 6, § 3."

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22 SECTION 2. All provisions of this act of a general and permanent nature
23 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
24 Revision Commission shall incorporate the same in the Code.

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26 SECTION 3. If any provision of this act or the application thereof to
27 any person or circumstance is held invalid, such invalidity shall not affect
28 other provisions or applications of the act which can be given effect without
29 the invalid provision or application, and to this end the provisions of this
30 act are declared to be severable.

31
32 SECTION 4. All laws and parts of laws in conflict with this act are
33 hereby repealed.

34 /s/ Harris, et a

APPROVED: 4/9/1999