

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

A Bill

Act 1490 of 1999
HOUSE BILL 2019

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, Trammell
7

For An Act To Be Entitled

9 "AN ACT TO CLARIFY LANGUAGE PERTAINING TO THE
10 CERTIFICATION OF THE CANDIDATE LIST; TO CLARIFY THE
11 DATE ON WHICH ELECTION OFFICIALS SHALL BE APPOINTED;
12 TO CLARIFY THE ELECTIONS FOR WHICH THE COUNTY BOARD OF
13 ELECTION COMMISSIONERS SHALL PROVIDE NOTICE OF A
14 PROPOSED AMENDMENT TO THE CONSTITUTION; TO CLARIFY THE
15 ELECTIONS FOR WHICH THE COUNTY BOARD OF ELECTION
16 COMMISSIONERS SHALL PROVIDE NOTICE; TO CLARIFY THE
17 TIME FOR SCHOOL DISTRICT ELECTION NOTICES; AND FOR
18 OTHER PURPOSES. "
19

Subtitle

20
21 "TO CLARIFY LANGUAGE PERTAINING TO
22 DEADLINES FOR CERTIFICATION, NOTICE AND
23 APPOINTMENTS. "
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25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code 6-14-109(a) is amended to read as follows:

29 "(a) The board of directors of each school district shall give notice,
30 by advertisement once a week for three (3) weeks, of each ~~general or special~~
31 election to be held within the district, setting out the time, place, and
32 questions to be submitted to the electors at the election."
33

34 SECTION 2. Arkansas Code 7-4-107(b) is amended to read as follows:

35 "(b) It shall be the duty of the county board of election
36 commissioners, not less than twenty (20) days preceding a ~~general~~ an election,

1 to select and appoint a sufficient number of election officials for each
 2 polling site as provided by subsection (a) of this section and to perform the
 3 other duties prescribed. Each polling site shall have a minimum of two (2)
 4 election clerks, one (1) election judge, and one (1) election sheriff. The
 5 minority party election commissioner shall have the option to designate a
 6 number of election officials equal to one (1) less than the majority of
 7 election officials at each polling site, with a minimum of two (2) election
 8 officials at each polling site. In the event the county party representatives
 9 on the county board of election commissioners fail to agree upon any election
 10 official to fill any election post allotted to the respective party twenty
 11 (20) days before the election, then and in that event, the county board of
 12 election commissioners shall appoint the remaining election officials. Within
 13 fifteen (15) days prior to the election, the county board of election
 14 commissioners shall prepare, publish, and post in a public place in the county
 15 sheriff's office and in the county clerk's office of each county their lists
 16 of appointees of election officials."

17
 18 SECTION 3. Arkansas Code 7-5-202 is amended to read as follows:

19 "§ 7-5-202. Public notice of elections.

20 (a) It shall be the duty of the county board of election commissioners
 21 at least twenty (20) days before each preferential primary and general
 22 election, and ten (10) days before the holding of each general primary,
 23 general runoff, or special election, to give public notice, throughout the
 24 county of the time and polling sites of holding the elections in the county,
 25 and the ~~officers~~ candidates and offices to be elected at that time.

26 (b) At least five (5) days prior to a preferential primary, general
 27 primary, general, general runoff or special election, a copy of the public
 28 notice ~~shall~~ may be posted at each polling site fixed for holding the election
 29 and shall be published in a newspaper of general circulation in the county."

30
 31 SECTION 4. Arkansas Code 7-5-203 is amended to read as follows:

32 "§ 7-5-203. Certification of candidate list.

33 Not less than fifty (50) days before each general election day, the
 34 Secretary of State shall certify to all county boards of election
 35 commissioners full lists of all candidates to be voted for in their counties
 36 respectively, as the nominations have been certified to him. However, in

1 special elections held to fill vacancies or to elect officers in case of a tie
2 vote, the certification shall issue at the time specified in the writ of
3 election issued by the appropriate constituted authority."

4
5 SECTION 5. Arkansas Code 7-5-204 is amended to read as follows:

6 "§ 7-5-204. Certification of questions submitted to voters.

7 Whenever a proposed amendment to the Constitution or other question is
8 to be submitted to a vote of the people, the Secretary of State shall, not
9 less than fifty (50) days before each general election day, certify the
10 amendment in question to the commissioners of each county in the state. The
11 commissioners shall include the amendment in question in the posting which
12 they are required to make under § 7-5-206. However, in special elections held
13 in case of a tie vote, the certification shall issue at the time specified in
14 the writ of election issued by the Secretary of State."

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16 SECTION 6. All provisions of this Act of a general and permanent nature
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
18 Revision Commission shall incorporate the same in the Code.

19
20 SECTION 7. If any provision of this Act or the application thereof to
21 any person or circumstance is held invalid, such invalidity shall not affect
22 other provisions or applications of the Act which can be given effect without
23 the invalid provision or application, and to this end the provisions of this
24 Act are declared to be severable.

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26 SECTION 8. All laws and parts of laws in conflict with this Act are
27 hereby repealed.

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30 APPROVED: 4/15/1999