

Stricken language would be deleted from and underlined language would be added to the law as it existed  
prior to this session of the General Assembly.  
**Act 822 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 2367

5 By: Representative Greenberg  
6  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE MANNER OF CHOOSING AND  
10 ELECTION OF ELECTORS OF PRESIDENT AND VICE  
11 PRESIDENT OF THE UNITED STATES; AND FOR OTHER  
12 PURPOSES.  
13

## Subtitle

14 AN ACT CONCERNING THE MANNER OF CHOOSING  
15 AND ELECTION OF ELECTORS OF PRESIDENT  
16 AND VICE PRESIDENT OF THE UNITED STATES.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 7-8-302(5), concerning the manner of  
23 choosing and election of electors of President and Vice President of the  
24 United States, is amended to read as follows:

25 (5)(A)(i) In order to have the name of a political party's  
26 candidates for President and Vice President printed on the ballot, a  
27 political party shall hold a presidential preferential primary election.

28 (ii) A new political party formed pursuant to the  
29 petition process may nominate by convention if the presidential election is  
30 the first general election after certification as a party by the Secretary of  
31 State.

32 (B) A political group desiring to have the names of its  
33 candidates for President and Vice President printed on the ballot shall file  
34 a petition with the Secretary of State by noon on the first Monday of August  
35 of the year of the election. The petition shall contain at the time of filing



1 the names of one thousand (1,000) qualified electors of the state declaring  
 2 their desire to have printed on the ballot the names of their candidate for  
 3 President and Vice President. The Secretary of State shall verify the  
 4 sufficiency of the petition within ten (10) days from the filing of the  
 5 petition. If the petition is determined to be insufficient, the Secretary of  
 6 State shall notify in writing the political group through its designated  
 7 agent and shall set forth his or her reasons for so finding. ~~When notice is~~  
 8 ~~delivered, the sponsors shall have an additional ten (10) days in which to do~~  
 9 ~~any or all of the following:~~

10 ~~(i) Solicit and obtain additional signatures;~~

11 ~~(ii) Submit proof to show that the rejected~~  
 12 ~~signatures or some of them are good and should be counted; or~~

13 ~~(iii) Make the petition more definite and certain.~~

14 ~~(C) Any amendments and corrections shall not materially~~  
 15 ~~change the purpose and effect of the petition. No changes shall be made in~~  
 16 ~~the petition, except to correct apparent typographical errors or omissions.~~

17 ~~(D)~~(C) Any challenges to the certification of the  
 18 Secretary of State shall be filed in the Circuit Court of Pulaski County.

19 ~~(E)~~(D) By September 15 1 in the year of the election, a  
 20 political group which qualifies by petition to place its candidate on the  
 21 ballot shall submit a certificate of choice stating the names of its  
 22 candidates for President and Vice President, signed under oath by either the  
 23 chair, vice chair, or secretary of the political group's convention.

24  
 25 SECTION 2. Arkansas Code § 7-8-302, concerning the manner of choosing  
 26 and election of electors of President and Vice President of the United  
 27 States, is amended to add an additional subdivision to read as follows:

28 (6)(A) Persons desiring to have their names printed on the  
 29 ballot as independent candidates for President and Vice President shall file  
 30 a petition with the Secretary of State by noon on the first Monday of August  
 31 of the year of the election. The petition shall contain at the time of  
 32 filing the names of one thousand (1,000) qualified electors of the state  
 33 declaring their desire to have printed on the ballot the names of the persons  
 34 desiring their names to be printed on the ballot as independent candidates  
 35 for President and Vice President. The Secretary of State shall verify the  
 36 sufficiency of the petition within ten (10) days from the filing of the

1 petition. If the petition is determined to be insufficient, the Secretary of  
2 State shall notify in writing the persons desiring to have their names  
3 printed on the ballot as independent candidates for President and Vice  
4 President at the address or telephone number submitted with the petition and  
5 shall set forth his or her reasons for so finding.

6 (B) Any challenges to the certification of the Secretary  
7 of State shall be filed in the Pulaski County Circuit Court.

8 (C) By September 1 in the year of the election,  
9 independent candidates who qualify by petition to be on the ballot shall  
10 certify to the Secretary of State the total list of electors together with  
11 electors at large. The filing of the certificate with the Secretary of State  
12 shall be deemed and taken to be the choosing and selection of the electors of  
13 this state, if the independent candidate is successful at the polls, as  
14 provided in this subchapter.

15  
16 APPROVED: 4/2/2007  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36