

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 2035

5 By: Representative D. Douglas
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For An Act To Be Entitled

9 AN ACT TO AMEND THE DATES FOR PROCESSING ABSENTEE
10 BALLOTS; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO AMEND THE DATES FOR PROCESSING
15 ABSENTEE BALLOTS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 7-5-416(a), concerning counting of absentee
21 ballots, is amended to read as follows:

22 (a)(1) The election officials for absentee ballots ~~shall~~ may meet in a
23 place designated by the county board of election commissioners no earlier
24 than the Tuesday before the election for the purpose of opening the outer
25 envelope, processing, and canvassing of absentee ballot paper work and no
26 earlier than 8:30 a.m. on election day for the purpose of processing opening
27 the inner absentee ballot envelope and counting the absentee ballots.

28 (2) The county board shall give public notice of the time and
29 location of the opening, processing, canvassing, and counting of absentee
30 ballots and early voting ballots as provided in § 7-5-202.

31 (3) ~~On election day, the~~ The county clerk shall forward the
32 following items to the election officials designated by the county board to
33 open, process, canvass, and count absentee ballots:

34 (A) The absentee ballot applications sorted alphabetically
35 or by precinct;

36 (B) The absentee ballots; and



1 (C) A written report containing the following information:

2 (i) The number of absentee ballot applications
 3 received by the county clerk;

4 (ii) The number of absentee ballots sent by the
 5 county clerk;

6 (iii) The number of absentee ballots returned to the
 7 county clerk;

8 (iv) The number of absentee ballots rejected by the
 9 county clerk and the reason for the rejection;

10 (v) The number of absentee ballots marked as
 11 received on the paper absentee ballot applications list; and

12 (vi) If the number of absentee ballots returned to
 13 the county clerk and the number of absentee ballots marked as received on the
 14 paper absentee ballot lists are different and the reason for the difference
 15 is known, the reason for the difference.

16 (4) The processing and counting of absentee ballots shall be
 17 open to the public, and candidates and authorized poll watchers may be
 18 present in person or by a representative designated in writing under § 7-5-
 19 312 during the opening, processing, canvassing, and counting of the absentee
 20 ballots as provided in this subchapter.

21 (5)(A) Absentee and early votes shall be counted prior to the
 22 closing of the polls on election day as provided under this section.

23 (B)(i) ~~No later than thirty (30) minutes after the polls~~
 24 ~~close on election day, the~~ The county board of election commissioners shall
 25 report by precinct the initial count of early votes and absentee ballot votes
 26 to the Secretary of State as provided under § 7-5-701 as soon as practical
 27 after the polls close on election day.

28 (ii) No election results of the precinct shall be
 29 printed, posted, or released until after the polls close on election day.

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31 SECTION 2. Arkansas Code § 7-5-416(b)(1)(E), concerning counting of
 32 absentee ballots, is amended to read as follows:

33 (E) As each outer envelope is opened and the name of the
 34 voter is read, the election officials for the absentee box shall list ~~in~~
 35 ~~duplicate~~ the name and voting precinct of the voter;

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1 SECTION 3. Arkansas Code § 7-5-416(b)(L)(i), concerning counting of
2 absentee ballots, is amended to read as follows:

3 (L)(i) After all of the outer envelopes have been opened
4 ~~and a list has been made in duplicate of the name and voting precinct of the~~
5 ~~voters as required in this section~~, the election officials of the absentee
6 box shall preserve all the statements of voters and the voters'
7 identification documents and deliver them to the county clerk, who shall file
8 and keep them for the same length of time after the election as is required
9 for retention of other ballots.

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12 **APPROVED: 04/01/2017**
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