State of Arkansas
91st General Assembly
Regular Session, 2017

By: Representative Holcomb

For An Act To Be Entitled
AN ACT TO IMPROVE ELECTION ADMINISTRATION
TRANSPARENCY; TO RESOLVE A CONFLICT IN THE LAW
CONCERNING PUBLIC NOTICE OF ELECTIONS; AND FOR OTHER
PURPOSES.

Subtitle
TO IMPROVE ELECTION ADMINISTRATION
TRANSPARENCY; AND TO RESOLVE A CONFLICT
IN THE LAW CONCERNING PUBLIC NOTICE OF
ELECTIONS.

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

SECTION 1. Arkansas Code § 7-5-202 is amended to read as follows:

(a)(1) It shall be the duty of the county board of election
commissioners at least twenty (20) days before each preferential primary and
general election and at least ten (10) days before the holding of each
general primary, general runoff, or special election to give public notice in
a newspaper of general circulation in the county of:
(1)(A) The date of the election;
(2)(B) The hours of voting on election day;
(3)(C) The places and times for early voting;
(4)(D) Polling sites for holding the elections in the county;
(5)(E) The candidates and offices to be elected at that time;
and
(6)(F) The time and location of the opening, processing,
canvassing, and counting of ballots; and

(G)(i) The location where a list of appointed election
officials, deputy county clerks, or additional deputies hired to conduct
early voting can be found and the date the list is available.

(ii) A person shall not serve as an election
official, deputy county clerk, or additional deputy if:

(a) The person is married to or related within
the second degree of consanguinity to a candidate running for office in the
election; and

(b) Another person makes an objection to his
or her service to the county board of election commissioners within ten (10)
calendar days after posting the list of officials.

(iii) The public notice shall contain directions for
filing an objection to the service of an election official, deputy county
clerk, or additional deputy.

(b)(1) At least five (5) days prior to a preferential primary, general
primary, general election, general runoff, or special election, a copy of the
public notice may be posted at each polling site fixed for holding the
election and shall be published in a newspaper of general circulation in the
county.

(2)(A) At least fifteen (15) days prior to before the beginning
of early voting and the election day, each county board or county clerk shall
prepare and post in a public place in the county clerk’s office its list of
appointed election officials, deputy county clerks, or additional deputies
hired to conduct early voting.

(B) The list may appoint election officials, deputy county
clerks, or additional deputies hired to conduct early voting in the event of
a runoff election.

(c) On the day of any election, the following shall be posted at each
polling site and remain posted continuously therein until the polls close:

(1) The public notice required in subsection (a) of this
section;

(2) At least two (2) sample ballots, marked with the word
“SAMPLE”, of each ballot style that will be used at the polling site;

(3) Two (2) copies of the full text of all measures on the
ballot;
(4) At least two (2) copies of instructions on how to vote, including how to cast a provisional ballot and instructions for fail-safe voting;

(5) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;

(6) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation;

(7)(A) Double-sided signs containing the words “VOTE HERE”.

(B) Each sign shall be at least two feet (2’) by two feet (2’) in size and shall contain an arrow pointing to the polling site.

(C) A sign shall be posted near each main driveway entrance to the polling site on each public street bordering the polling site so as to be visible to all traffic approaching the polling site.

(D) The sign shall be as close as possible to the public street without obstructing traffic; and

(8) One (1) printout from each voting machine, terminal, or ballot tabulator showing whether the candidate and question counters register zero (0).

(d) The Secretary of State shall provide to each county board of election commissioners and each county clerk the information to be posted at each polling site according to subdivisions (c)(5) and (6) of this section.

APPROVED: 04/01/2017