

Stricken language would be deleted from present law. Underlined language would be added to present law.

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

As Engrossed: H1/28/99

# A Bill

Act 77 of 1999  
HOUSE BILL 1160

5 By: Representative Cook  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 7-7-103 PERTAINING TO  
10 THE FILING PROCEDURE FOR INDEPENDENT CANDIDATES; AND  
11 FOR OTHER PURPOSES. "

## Subtitle

13 "AN ACT TO AMEND ARKANSAS CODE 7-7-103  
14 PERTAINING TO THE FILING PROCEDURE FOR  
15 INDEPENDENT CANDIDATES. "  
16  
17  
18

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

22 SECTION 1. Arkansas Code §7-7-103(a) and (b) are amended to read as  
23 follows:

24 "(a) Any person desiring to have his name placed upon the ballot as an  
25 independent candidate without political party affiliation for any state,  
26 county, township, or district office in any general election in this state  
27 shall file as an independent candidate a notice of candidacy identifying the  
28 elective office and file a nominating petition in the manner provided in this  
29 section no later than the date fixed by law as the deadline for filing  
30 political practice pledges and party pledges if any are required by the rules  
31 of the party to qualify as a candidate of a political party in a primary  
32 election ~~or the first day of May, whichever is later.~~

33 (b)(1) He shall furnish, ~~at the time he files as an independent~~  
34 ~~candidate~~ by May 1, petitions signed by not less than three percent (3%) of  
35 the qualified electors in the county, township, or district in which the  
36 person is seeking office, but in no event shall more than two thousand (2,000)

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1 signatures be required for a district office.

2 (2) If the person is a candidate for state office or for United  
3 States Senator in which a statewide race is required, the person shall file  
4 petitions signed by not less than three percent (3%) of the qualified electors  
5 of the state, or ten thousand (10,000) signatures of qualified electors,  
6 whichever is the lesser. Each elector signing the petition shall be a  
7 registered voter, and the petition shall be directed to the official with whom  
8 the person is required by law to file nomination certificates to qualify as a  
9 candidate, requesting that the name of the person be placed on the ballot for  
10 election to the office mentioned in the petition.

11 (3) Petitions shall be circulated not earlier than sixty (60)  
12 calendar days prior to the deadline for filing petitions to qualify as an  
13 independent candidate.

14 (4) In determining the number of qualified electors in any  
15 county, township, district, or in the state, the total number of votes cast  
16 therein for all candidates in the preceding general election for the office of  
17 Governor shall be conclusive of the number of qualified electors therein for  
18 the purposes of this section.”

19  
20 SECTION 2. All provisions of this Act of a general and permanent nature  
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
22 Revision Commission shall incorporate the same in the Code.

23  
24 SECTION 3. If any provision of this Act or the application thereof to  
25 any person or circumstance is held invalid, such invalidity shall not affect  
26 other provisions or applications of the Act which can be given effect without  
27 the invalid provision or application, and to this end the provisions of this  
28 Act are declared to be severable.

29  
30 SECTION 4. All laws and parts of laws in conflict with this Act are  
31 hereby repealed.

32 /s/ Cook

33 APPROVED: 2/16/1999