

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 731 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1613

4  
5 By: Representative D. Creekmore  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING THE DECLARATION OF ELECTION  
10 RESULTS; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT CONCERNING THE DECLARATION OF  
14 ELECTION RESULTS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. Arkansas Code § 7-5-701 is amended to read as follows:

20 7-5-701. Declaration of results - Certification, delivery, and custody  
21 of returns.

22 (a)(1) No earlier than forty-eight (48) hours after the election and  
23 no later than the tenth calendar day after the election, the county board of  
24 election commissioners, from the certificates and ballots received from the  
25 several precincts, shall proceed to ascertain, declare, and certify the  
26 result of the election to the Secretary of State.

27 (2)(A) The county board shall declare preliminary and unofficial  
28 results of the election, including a statement of the number of outstanding  
29 absentee ballots of overseas voters, immediately after the count of the vote  
30 is complete and report the preliminary and unofficial results to the county  
31 clerk, who shall immediately transmit the results to the Secretary of State  
32 by the Internet website interface provided by the Secretary of State.

33 (B) If it is not possible for the clerk to transmit the  
34 results via the Internet website interface, then the clerk may transmit the  
35 results by facsimile transmission.



1 (3) Within fourteen (14) calendar days after ~~the day of the~~ any  
2 general, special, or school election, the county board shall deliver a  
3 certificate of election to the person having the highest numbers of legal  
4 votes for any county office.

5 (b) The county board shall also file in the office of the clerk of the  
6 county court a certificate setting forth in detail the result of the  
7 election.

8 (c)(1)(A) No earlier than forty-eight (48) hours after the election  
9 and no later than the tenth calendar day after the election, the county board  
10 shall deposit certified copies of the abstracts of the returns of the  
11 election for members of Congress and for all executive, legislative, and  
12 judicial officers in the nearest post office on the most direct route to the  
13 seat of government and directed to the Secretary of State.

14 (B) The county board shall not receive compensation for  
15 election duties after the election until the election results have been  
16 certified and delivered to the Secretary of State.

17 (C) The Secretary of State shall file a complaint with the  
18 State Board of Election Commissioners pursuant to § 7-4-118 if the county  
19 board does not comply with subdivision (c)(1)(A) of this section.

20 (d)(1) It shall at the same time enclose in a separate envelope and  
21 direct to the Speaker of the House of Representatives, in care of the  
22 Secretary of State, at the seat of government, a certified copy of the  
23 abstract of votes given for Governor, Lieutenant Governor, Secretary of  
24 State, Treasurer of State, Auditor of State, and Attorney General.

25 (2) It is made the duty of the Secretary of State to safely keep  
26 the returns addressed to the Speaker of the House of Representatives until  
27 they shall be required for the purpose of ascertaining and declaring the  
28 result of the election as prescribed in Arkansas Constitution, Article 6, §  
29 3.

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32 APPROVED: 3/09/2005  
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