

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 987 of the Regular Session

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

As Engrossed: S3/23/07

A Bill

HOUSE BILL 2214

5 By: Representative Harrelson
6
7

For An Act To Be Entitled

9 AN ACT AMENDING PROVISIONS OF ARKANSAS LAW
10 PERTAINING TO THE PRESIDENTIAL PREFERENTIAL
11 PRIMARY ELECTION; AND FOR OTHER PURPOSES.
12

Subtitle

13 *AN ACT AMENDING PROVISIONS OF ARKANSAS*
14 *LAW PERTAINING TO THE PRESIDENTIAL*
15 *PREFERENTIAL PRIMARY ELECTION.*
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 7-5-418(a)(2), concerning early voting for
22 certain elections, is amended to read as follows:

23 (2) However, on all other elections, including, but not limited
24 to, presidential preferential primary, general primary, and general runoff
25 elections, early voting shall be available to any qualified elector who
26 applies to the county clerk during regular office hours, beginning fifteen
27 (15) days before an election and ending on the day before the election day at
28 the time the county clerk's office regularly closes.
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30 SECTION 2. Arkansas Code § 7-7-201(b), concerning the conducting of
31 primary elections, is amended to read as follows:

32 ~~(b)(1) The state board shall have the primary responsibility for~~
33 ~~conducting political party primaries in this state.~~

34 (2)(1) Within each county, the political party primary elections
35 shall be conducted by the county board of election commissioners ~~under the~~



1 ~~direction of the state board.~~

2 ~~(3)~~(2) The state board shall have authority to adopt rules for
3 the administration of primary elections consistent with the provisions of
4 this chapter.

5 ~~(4)~~(3) The state board may withhold reimbursement of funds to
6 the counties for state-funded elections for failure to comply with the rules
7 developed by the state board for the administration of primary elections or
8 applicable state election laws until all requirements are met to the
9 satisfaction of the state board.

10 ~~(5)~~(4) Each political party shall be responsible for determining
11 the qualifications of candidates seeking nomination by the political party,
12 provide necessary applications for candidacy, accept and process the
13 applications, and determine the order of its ballot.

14
15 SECTION 3. Arkansas Code § 7-8-101 is amended to read as follows:
16 7-8-101. Primaries - General law governs.

17 (a) All primaries, preferential and general, for the selection of
18 nominees for federal offices, including those of the United States Senators
19 and Representatives, shall be held on the same date and in the same manner as
20 the preferential and general primaries for state, district, county, and
21 township offices and shall be governed by the same procedure prescribed by
22 this act.

23 (b) Unless otherwise provided by Arkansas law, the presidential
24 preferential primary election shall be on the date established by the General
25 Assembly and shall be governed in accordance with the laws for primary
26 elections in this state.

27
28 SECTION 4. Arkansas Code § 7-8-201(a), concerning preferential
29 elections, is amended to read as follows:

30 (a)(1) Each political party in the state desiring to select delegates
31 to attend a quadrennial national nominating convention of the party to select
32 a nominee for the office of President of the United States shall hold a
33 presidential preferential primary election in the state, and the delegates to
34 the national party convention shall be apportioned to the presidential
35 candidates whose names were on the ballot at the presidential preferential
36 primary or to "uncommitted" in the proportion that the votes cast for each

1 candidate or for "uncommitted" bear to the total votes cast at the election,
2 rounded to the closest whole number.

3 (2) Presidential preferential primary elections shall be held on
4 the first Tuesday in February of the year in which the convention is held.

5 (3)(A)(i) Any person desiring to have his or her name printed on
6 the presidential preferential primary ballot as a candidate for his or her
7 party's nomination shall file a party certificate with the Secretary of State
8 during regular office hours in the period beginning at 12:00 noon on the
9 first Monday in November and ending at 12:00 noon on the fourteenth day
10 thereafter before the presidential preferential primary election.

11 (ii) The name to be printed on the ballot shall be
12 the name on the party certificate.

13 (iii) The Secretary of State shall not accept for
14 filing a party certificate that contains a name that does not conform to the
15 requirements of § 7-7-305(c).

16 (B) Each political party shall:

17 (i) Be responsible for determining the
18 qualifications of candidates seeking to appear on the presidential
19 preferential primary ballot of each political party;

20 (ii) Provide necessary applications for candidacy;
21 and

22 (iii) Accept and process the applications; ~~and .~~

23 ~~(iv) Determine the order that the candidates shall~~
24 ~~appear on the ballot."~~

25 (C) The Secretary of State shall transmit to each county
26 board of election commissioners no later than sixty-five (65) days before the
27 presidential preferential primary election a certified list of the names of
28 the candidates of each political party as they are to be printed on the
29 ballot.

30 (D)(i) Not later than sixty (60) days before the
31 presidential preferential primary election, the county board of election
32 commissioners of each county shall hold a public meeting to determine by lot
33 the order in which the names of the candidates for the respective party
34 primaries are to appear on the ballot.

35 (ii) The county board of election commissioners
36 shall publish notice of the meeting at least three (3) days before the

1 meeting in a newspaper of general circulation in the county.

2 (4) The cost of the presidential preferential primary election
3 shall be borne by the State of Arkansas and shall be paid from an
4 appropriation made to the State Board of Election Commissioners for that
5 purpose.

6 ~~(5)(A) The state board shall have the primary responsibility for~~
7 ~~conducting presidential preferential primary elections.~~

8 ~~(B)(A)~~ Within each county, the presidential preferential
9 primary election shall be conducted by the county board of election
10 commissioners ~~under the direction of the state board.~~

11 ~~(C)(B)~~ The state board shall have authority to adopt rules
12 for the administration of presidential preferential primary elections
13 consistent with the election laws of this state.

14 ~~(D)(C)~~ The state board may withhold reimbursement of funds
15 to counties for state-funded presidential preferential primary elections for
16 failure to comply with the rules developed by the state board for the
17 administration of primary elections or applicable state election laws until
18 all requirements are met to the satisfaction of the state board.

19
20 /s/ Harrelson

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22 APPROVED: 4/3/2007
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