

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Representative Lea

A Bill

HOUSE BILL 2067

For An Act To Be Entitled

8 AN ACT TO REVISE THE PROCEDURES FOR COUNTING AND
9 REPORTING VOTING RESULTS BY THE COUNTY BOARD OF
10 ELECTION COMMISSIONERS TO THE SECRETARY OF STATE; AND
11 FOR OTHER PURPOSES.

Subtitle

15 TO REVISE THE PROCEDURES FOR COUNTING AND
16 REPORTING VOTING RESULTS BY THE COUNTY
17 BOARD OF ELECTION COMMISSIONERS TO THE
18 SECRETARY OF STATE.

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

23 SECTION 1. Arkansas Code § 7-5-701(a), concerning declaration of
24 election results, is amended to read as follows:

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

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

36 ~~(B) If it is not possible for the clerk to transmit the~~



1 ~~results via the Internet website interface, then the clerk may transmit the~~
 2 ~~results by facsimile transmission.~~

3 (2)(A) As results are received and tabulated on election night
 4 for all state and federal elections, the county board of election
 5 commissioners shall declare preliminary and unofficial results of the
 6 election as soon as early voting, absentee, or individual precinct results
 7 are tabulated on election night and immediately shall transmit the results by
 8 precinct to the Secretary of State through the election night reporting
 9 interface provided by the Secretary of State.

10 (B) The county board of election commissioners may, by
 11 agreement with the county clerk, transmit the results to the county clerk who
 12 immediately shall transmit the results by precinct to the Secretary of State
 13 as described under subdivision (2)(A) of this section.

14 (C) On election night for all state and federal elections,
 15 immediately after the count of the vote is complete, the county board of
 16 election commissioners shall:

17 (i) Declare preliminary and unofficial results of
 18 the election, including a statement of the number of outstanding:

19 (a) Ballots of voters who requested ballots
 20 under the Uniformed and Overseas Citizens Absentee Voting Act; and

21 (b) Provisional ballots; and

22 (ii) Immediately transmit the results by precinct to
 23 the Secretary of State through the election night reporting interface
 24 provided by the Secretary of State.

25 (D) The county board of election commissioners may, by
 26 agreement with the county clerk, transmit the results to the county clerk who
 27 shall immediately transmit the results by precinct to the Secretary of State
 28 as described in subdivision (2)(C) of this section.

29 (E) The Secretary of State may establish policies and
 30 procedures to accomplish the objectives set forth under this section.

31 (3) Within nineteen (19) calendar days after any general,
 32 special, or school election, the county board shall deliver a certificate of
 33 election to the person having the highest number of legal votes for any
 34 county office.

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 36 SECTION 2. Arkansas Code § 7-5-707 is amended to read as follows:

1 7-5-707. Vote certification.

2 (a) For all state and federal elections, the county board of election
3 commissioners shall transmit the certified results for each ~~polling place to~~
4 ~~the county clerk, who shall immediately transmit the results to the Secretary~~
5 ~~of State through the Internet website interface provided by the Secretary of~~
6 State precinct to the Secretary of State through the election night reporting
7 interface provided by the Secretary of State.

8 (b) The county board may, by agreement with the county clerk, transmit
9 the certified results to the county clerk who shall transmit the certified
10 results by precinct to the Secretary of State as described in subsection (a)
11 of this section.

12 ~~(b)(c)~~ (c) The Secretary of State may require a county board of election
13 commissioners to submit additional election information as determined by the
14 Secretary of State.

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17 **APPROVED: 04/10/2013**
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