

**ARKANSAS SENATE**  
87th General Assembly - Regular Session, 2009  
**Amendment Form**

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**Subtitle of Senate Bill No. 253**

"AN ACT TO REPEAL THE PRESIDENTIAL PREFERENTIAL PRIMARY ELECTION; AND  
TO MOVE THE DATE OF THE PRIMARY ELECTIONS."

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**Amendment No. 1 to Senate Bill No. 253.**

Amend Senate Bill No. 253 as originally introduced:

Add Senator Baker as a cosponsor of the bill

AND

Add Representative Saunders as a cosponsor of the bill

AND

Page 1, delete lines 10 through 11 and substitute the following:

"PRIMARY ELECTION; TO MOVE THE DATE OF THE GENERAL PRIMARY ELECTION TO AUGUST; TO MOVE THE DATE OF THE PREFERENTIAL PRIMARY ELECTION TO JULY; AND FOR OTHER PURPOSES."

AND

Immediately following SECTION 1, add an additional section to read as follows:

"SECTION 2. Arkansas Code § 7-5-203 is amended to read as follows:  
7-5-203. Certification of candidate lists.

(a) Not less than ~~seventy five (75)~~ seventy (70) days before each general election day, the Secretary of State shall certify to all county boards of election commissioners a full list of all United States, state, and district candidates to be voted for in their respective counties as the nominations have been certified to him or her nominated in party primary elections, by petition, notice, or as otherwise may be provided in law.

(b) Not less than seventy-five (75) days before each general election day, the clerk of each county shall certify to the county board of his or her county a full list of all county, township, municipal, and other local candidates to be voted for in the county as the nominations have been certified to him or her nominated in party primary elections, by petition,



notice, or as otherwise provided in law.

(c) However, in special elections held to fill vacancies or to elect officers in case of a tie vote, the certification shall issue at the time specified in the writ of election issued by the appropriately constituted authority."

AND

Page 6, delete lines 26 through 36 and Page 7, delete lines 1 through 14 and substitute the following:

"SECTION 5. Arkansas Code § 7-7-203 is amended to read as follows:  
7-7-203. Dates.

(a) The general primary election shall be held on the second Tuesday in ~~June~~ August preceding the general election.

(b) The preferential primary election shall be held on the Tuesday three (3) weeks prior to the general primary election.

(c)(1) Party pledges, if any, shall be filed and any filing fees of a political party, if any, shall be paid during regular office hours in the period beginning at 12:00 noon on the first weekday in ~~March~~ May and ending at 12:00 noon on the seventh day thereafter before the preferential primary election.

(2) A party certificate and the political practice pledge for primary elections shall be filed with the county clerk or the Secretary of State, as the case may be, during regular office hours in the period beginning at 12:00 noon on the first weekday in ~~March~~ May and ending at 12:00 noon on the seventh day thereafter before the preferential primary election.

(3) The name of a candidate who fails to file a party certificate by the filing deadline with the Secretary of State or county clerk, as the case may be, shall not appear on the ballot.

(4) Party pledges, if any, shall be filed, filing fees, if any, shall be paid, and party certificates and political practice pledges shall be filed for special primary elections on or before the deadline established by proclamation of the Governor.

(d) At least seventy (70) days before the preferential primary election, the Secretary of State shall certify the ballot to the various county committees and to the various county boards of election commissioners with the names of all candidates who have qualified with the state committee for election by filing the party pledge and paying the filing fees of the political party within the time required by law.

(e)(1) The county board shall convene, at the time specified in the notice to the members given by the chair of the board, no later than the tenth day after each primary election for the purpose of canvassing the returns and certifying the election results.

(2) If no time is specified for the meeting of the county board, the meeting shall be at 5:00 p.m.

(f) The county convention of a political party holding a primary election shall be held on the first Monday following the date of the general primary.

(g)(1) The county board of election commissioners shall certify to the county clerk and the county committee a list of all nominated candidates for county, township, and municipal offices, and the political parties' county

committee members and delegates.

(2) At the same time, the county board of election commissioners shall certify to the Secretary of State, the county clerk, and the secretary of the state committee the results of the contests for all United States, state, and district offices. Immediately after ascertaining the results for all United States, state, and district offices, the Secretary of State shall certify to the state committee and to the county board of election commissioners a list of all nominated candidates for the offices.

~~(h)(1)(A) The Secretary of State shall at least one hundred (100) days prior to the date of the general election notify by registered mail the chair and secretary of the state committee of the respective political parties that a certificate of nomination is due for all nominated candidates for United States, state, and district offices in order that the candidates' names be placed on the ballot of the general election.~~

~~(B)(i) The state committee shall issue certificates of nomination to all nominated candidates for United States, state, and district offices, who shall file the certificates with the Secretary of State at least ninety (90) days prior to the general election.~~

~~(ii) However, if the chair and secretary of the state committee of the respective political parties are not properly notified as directed by subdivision (h)(1)(A) of this section, the failure of a candidate to file a certificate of nomination shall not prevent that candidate's name from being placed on the ballot of the general election.~~

~~(2)(A) Each county clerk shall at least ninety (90) days prior to the date of the general election notify by registered mail the chairs and secretaries of the county committees of the respective political parties that a certified list of all nominated candidates for county, township, and municipal offices is due and shall be filed with the county board of election commissioners and the county clerk in order that the candidates' names be placed on the ballot for the general election.~~

~~(B)(i) Each county committee shall issue the certified list on behalf of those nominated candidates and submit the certified list to the county board of election commissioners and the county clerk at least eighty (80) days prior to the general election.~~

~~(ii) However, if the chairs and secretaries of the county committees of the respective political parties are not properly notified as directed by subdivision (h)(2)(A) of this section, the failure of a certified list to be filed shall not prevent any candidate's name from being placed on the ballot of the general election.~~

AND

Appropriately renumber the sections of the bill.

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senators Faris, B. Pritchard

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Secretary