

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.

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

A Bill

HOUSE BILL 2367

5 By: Representative Greenberg
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For An Act To Be Entitled

9 AN ACT CONCERNING THE MANNER OF CHOOSING AND
10 ELECTION OF ELECTORS OF PRESIDENT AND VICE
11 PRESIDENT OF THE UNITED STATES; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT CONCERNING THE MANNER OF CHOOSING
15 AND ELECTION OF ELECTORS OF PRESIDENT
16 AND VICE PRESIDENT OF THE UNITED STATES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 7-8-302(5), concerning the manner of
23 choosing and election of electors of President and Vice President of the
24 United States, is amended to read as follows:

25 (5)(A)(i) In order to have the name of a political party's
26 candidates for President and Vice President printed on the ballot, a
27 political party shall hold a presidential preferential primary election.

28 (ii) A new political party formed pursuant to the
29 petition process may nominate by convention if the presidential election is
30 the first general election after certification as a party by the Secretary of
31 State.

32 (B) A political group desiring to have the names of its
33 candidates for President and Vice President printed on the ballot shall file
34 a petition with the Secretary of State by noon on the first Monday of August
35 of the year of the election. The petition shall contain at the time of filing
36 the names of one thousand (1,000) qualified electors of the state declaring



1 their desire to have printed on the ballot the names of their candidate for
 2 President and Vice President. The Secretary of State shall verify the
 3 sufficiency of the petition within ten (10) days from the filing of the
 4 petition. If the petition is determined to be insufficient, the Secretary of
 5 State shall notify in writing the political group through its designated
 6 agent and shall set forth his or her reasons for so finding. ~~When notice is~~
 7 ~~delivered, the sponsors shall have an additional ten (10) days in which to do~~
 8 ~~any or all of the following:~~

- 9 ~~(i) Solicit and obtain additional signatures;~~
- 10 ~~(ii) Submit proof to show that the rejected~~
- 11 ~~signatures or some of them are good and should be counted; or~~
- 12 ~~(iii) Make the petition more definite and certain.~~

13 ~~(C) Any amendments and corrections shall not materially~~
 14 ~~change the purpose and effect of the petition. No changes shall be made in~~
 15 ~~the petition, except to correct apparent typographical errors or omissions.~~

16 ~~(D)~~(C) Any challenges to the certification of the
 17 Secretary of State shall be filed in the Circuit Court of Pulaski County.

18 ~~(E)~~(D) By September 15 1 in the year of the election, a
 19 political group which qualifies by petition to place its candidate on the
 20 ballot shall submit a certificate of choice stating the names of its
 21 candidates for President and Vice President, signed under oath by either the
 22 chair, vice chair, or secretary of the political group's convention.

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 24 SECTION 2. Arkansas Code § 7-8-302, concerning the manner of choosing
 25 and election of electors of President and Vice President of the United
 26 States, is amended to add an additional subdivision to read as follows:

27 (6)(A) Persons desiring to have their names printed on the
 28 ballot as independent candidates for President and Vice President shall file
 29 a petition with the Secretary of State by noon on the first Monday of August
 30 of the year of the election. The petition shall contain at the time of
 31 filing the names of one thousand (1,000) qualified electors of the state
 32 declaring their desire to have printed on the ballot the names of the persons
 33 desiring their names to be printed on the ballot as independent candidates
 34 for President and Vice President. The Secretary of State shall verify the
 35 sufficiency of the petition within ten (10) days from the filing of the
 36 petition. If the petition is determined to be insufficient, the Secretary of

1 State shall notify in writing the persons desiring to have their names
2 printed on the ballot as independent candidates for President and Vice
3 President at the address or telephone number submitted with the petition and
4 shall set forth his or her reasons for so finding.

5 (B) Any challenges to the certification of the Secretary
6 of State shall be filed in the Pulaski County Circuit Court.

7 (C) By September 1 in the year of the election,
8 independent candidates who qualify by petition to be on the ballot shall
9 certify to the Secretary of State the total list of electors together with
10 electors at large. The filing of the certificate with the Secretary of State
11 shall be deemed and taken to be the choosing and selection of the electors of
12 this state, if the independent candidate is successful at the polls, as
13 provided in this subchapter.

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