

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 655 of the Regular Session

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

A Bill

HOUSE BILL 1417

4
5 By: Representatives Pritchard, Edwards
6 By: Senator Madison

For An Act To Be Entitled

10 AN ACT TO CLARIFY ARKANSAS LAW CONCERNING EARLY
11 VOTING; AND FOR OTHER PURPOSES.

Subtitle

14 AN ACT TO CLARIFY ARKANSAS LAW
15 CONCERNING EARLY VOTING.

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

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20 SECTION 1. Arkansas Code § 7-5-418 is amended to read as follows:

21 7-5-418. Early voting.

22 (a)(1)(A) Except as provided in subdivision (a)(1)(B) of this section,
23 early ~~Early~~ voting shall be available to any qualified elector who applies to
24 the county clerk's designated early voting location, beginning fifteen (15)
25 days before a preferential primary, ~~general primary,~~ or general election, ~~or~~
26 ~~general run-off election~~ between the hours of 8:00 a.m. to 6:00 p.m. Monday
27 through Friday and 1:00 p.m. to 4:00 p.m. Saturday and ending at ~~6:00 p.m.~~
28 5:00 p.m. on the Monday before the election.

29 (B) Early voting shall not be available on state holidays.

30 (2) However, on all other elections, including, but not limited
31 to, general primary and general run-off elections, early voting shall be
32 available to any qualified elector who applies to the county clerk during
33 regular office hours, beginning fifteen (15) days before an election and
34 ending on the day before the election day at the time the county clerk's
35 office regularly closes.



1 (b)(1)(A) The county board of election commissioners may decide to
 2 hold early voting at additional polling sites outside the offices of the
 3 county clerk and to include the additional voting locations for a maximum of
 4 fifteen (15) days on any of the days and times provided for in subsection (a)
 5 of this section, if it so chooses.

6 (B) The county board shall determine by unanimous vote the
 7 location of additional polling sites for early voting.

8 (C) The county clerk shall publish the location of
 9 additional early voting polling sites in a newspaper of general circulation
 10 at least five (5) days before early voting begins.

11 (2) The county board shall select the number of election
 12 officials necessary to adequately staff the additional early voting polling
 13 site or sites as in any other election.

14 (3)(A) The county board shall notify the county clerk of its
 15 decision to hold early voting at additional polling sites outside the office
 16 of the county clerk within ten (10) days of the decision.

17 (B)(i) If the county board decides to hold early voting at
 18 additional polling sites outside the office of county clerk, the county clerk
 19 may choose not to hold early voting within the office of the county clerk.
 20 The county clerk shall notify the county board within ten (10) days of the
 21 receipt of notice from the county board regarding early voting at additional
 22 polling sites.

23 (ii) If the county clerk decides not to hold early
 24 voting within the office of the county clerk as provided in subdivision
 25 (b)(3)(B)(i) of this section, early voting shall be held at one (1) or more
 26 conveniently located polling sites on the days and times provided in
 27 subsection (a) of this section.

28 (4) The early voting election official shall record the date on
 29 all pages of the early voting roster or early voting request form and keep a
 30 daily record of the number of early ballots cast.

31 (5) The county clerk shall publish the additional hours for
 32 early voting with the location of additional early voting polling sites in a
 33 newspaper of general circulation at least five (5) days before early voting
 34 begins.

35 (6) All voted ballots and unvoted ballots and all related
 36 election materials at each additional early voting polling site shall be

1 stored in a secure location in the county courthouse or in a secure location
2 as determined by the county board of election commissioners immediately after
3 the close of the additional polling sites each day that early voting is
4 conducted there.

5 (c) Before a person is permitted to cast an early vote, the county
6 clerk or election official shall:

7 (1) Request the voter to identify himself by stating his name,
8 date of birth, and address in order to verify his registration;

9 (2) If the voter's name or address is not the same as that in
10 the county voter registration record files, request the voter to complete an
11 updated voter registration application form;

12 (3) Request the voter to sign an early voting roster or early
13 voting request form which identifies his name, address, date of birth, and
14 the date on the roster or form; and

15 (4) Enter the voter's precinct number on the early voting roster
16 or early voting request form.

17 (d) If the voter is not listed in the county voter registration record
18 files and the county clerk is unable to verify the voter's registration and
19 if the voter contends that he or she is eligible to vote, then the voter may
20 vote a ~~challenged~~ provisional ballot which shall only be counted upon
21 verification of the voter's registration status.

22 (e) The county clerk or county board shall furnish voting locations
23 that adequately allow the early voter to personally and secretly execute his
24 or her ballot.

25 (f) Upon casting his or her ballot, the voter shall then deposit the
26 ballot and the stub in the appropriate box in the same manner as for votes
27 cast on the day of the election.

28 (g) Early votes shall be counted at the same time as absentee ballots.

29 (h) Except as provided in this section, early voting shall be
30 conducted in the same manner as voting on election day. Conduct that is
31 prohibited or restricted on election day shall be subject to the same
32 prohibitions and restrictions on the days on which early voting is conducted.

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APPROVED: 3/07/2005

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