

**Hall of the House of Representatives**  
86th General Assembly - Regular Session, 2007  
**Amendment Form**

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**Subtitle of House Bill No. 2763**

"AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE PERTAINING TO  
ELECTIONS."

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**Amendment No. 1 to House Bill No. 2763.**

Amend House Bill No. 2763 as originally introduced:

Page 8, line 15, delete "[Effective" and substitute "[Effective"

AND

Page 8, line 16, delete "January 1, 2006.]" and substitute "January 1, 2006."

AND

Page 8, line 21, delete "election officials or county clerk" and substitute  
"election officials poll workers"

And

Page 8, delete lines 23 and 24 and substitute "unable to mark or cast the  
ballot ~~because he or she cannot read or write or because of physical,  
sensory, or other disability or other legal cause~~ without help and needs  
assistance in casting his or her ballot."

AND

Page 8, line 30, delete "election officials" and substitute "~~election  
officials~~ poll workers"

AND

Page 8, line 32, delete "election officials" and substitute "~~election  
officials~~ poll workers"

AND

Page 8, line 33, delete "election officials" and substitute "~~election  
officials~~ poll workers"



AND

Page 9, line 3, delete "election officials" and substitute "~~election officials~~ poll workers"

AND

Page 9, delete lines 7 through 9 and substitute: "who presents himself or herself for voting and who then informs ~~an election official~~ a poll worker at the polling site that he or she is unable to stand in line for extended periods of time shall be entitled to and assisted by ~~an election official~~ a poll worker to advance to the head of any line of voters then waiting in line to vote at the polling site."

AND

Page 11, delete lines 25 through 29 and substitute:

"(2)(A) The state board shall ~~provide~~ mail to the chair of each county board and the chair of each county political party a copy of this section and of Pub. L. No. 98-435.

~~(B) The state board shall send the copies by certified mail."~~

AND

Page 12, line 11, delete "ballots" and substitute "paper ballots"

AND

Page 12, line 12, delete "ballots" and substitute "paper ballots"

AND

Page 12, line 22, delete "written on" and substitute "~~written on~~ handwritten on the ballot."

AND

Page 12, delete line 23

AND

Page 12, delete lines 31 through 34 and substitute:

"neither of them shall be counted. If a ballot shall be found to contain a ~~greater number of names for any one (1) office than the number of persons required to fill the office, it shall be considered fraudulent as to the whole of the names designated to fill the office, but no further~~ marks for more than the maximum allowable number of candidates in any one contest, the contest shall be considered overvoted, and it shall be the responsibility of the election officials to determine the voter's intent;"

AND

Page 14, line 28, delete SECTION 14 in its entirety and substitute:

"SECTION 14. 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 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 third Tuesday in March and ending at 12:00 noon on the fourteenth 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 third Tuesday in March and ending at 12:00 noon on the fourteenth 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.

~~(5) Pledges and filing fees of the political party for a new political party shall be filed and paid as provided in subsection (f) of this section.~~

(d) No later than forty (40) days before the preferential primary election, the chairman and secretary of the state committee of the political party 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) Election officials of primary elections shall be selected by the county board of election commissioners in the same manner as in the general election.~~

~~(f)~~(e) Any group of voters desiring to form a new political party may do so by filing a petition with the Secretary of State in accordance with § 7-7-205.

~~(g)~~(1)(f)(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.

~~(h)~~(g) 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.

~~(i)(1)(h)(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 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 a list of all nominated candidates for the offices.

~~(j)(1)(A)(i)(1)(A)~~ The Secretary of State shall at least seventy (70) days prior to the date of the general election notify by registered mail the chairman 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 sixty (60) days prior to the general election.

(ii) However, if the chairman and secretary of the state committee of the respective political parties are not properly notified as directed by subdivision ~~(j)(1)(A)(i)(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 sixty (60) days prior to the date of the general election notify by registered mail the chairmen 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 forty-five (45) days but not more than fifty-five (55) days prior to the general election.

(ii) However, if the chairmen and secretaries of the county committees of the respective political parties are not properly notified as directed by subdivision ~~(j)(2)(A)(i)(1)(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."

The Amendment was read \_\_\_\_\_  
By: Representative Saunders  
GLG/LEF - 03-14-2007 07:16  
GLG194 \_\_\_\_\_ Chief Clerk