

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.

INTERIM STUDY PROPOSAL 2007-032

State of Arkansas

As Engrossed: H3/7/07

86th General Assembly

A Bill

Regular Session, 2007

HOUSE BILL 1380

*By: Representatives Rosenbaum, Kidd, Garner, George, Harris, Hoyt, D. Johnson, Ragland, Reynolds,
Wood, Hall, L. Evans*

By: Senators Faris, J. Taylor

Referred to
State Agencies & Gov't Affairs- House
by the House of Representatives
on 03/20/2007

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF ARKANSAS ELECTION
LAW CONCERNING EARLY VOTING; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO AMEND PROVISIONS OF ARKANSAS
ELECTION LAW CONCERNING EARLY VOTING.

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

SECTION 1. Arkansas Code § 7-5-403(a)(2)(A)(i), concerning
applications for absentee ballots, is amended to read as follows:

(i) In person by the voter at the office of the
county clerk of the county of residence of the voter no later than the time
the county clerk's office regularly closes on the last day of early voting
before election day;

SECTION 2. Arkansas Code § 7-5-418 is amended to read as follows:
7-5-418. Early voting.

(a)(1)(A) Except as provided in subdivision (a)(1)(B) of this section,

1 early voting shall be available to any qualified elector who applies to the
2 county clerk's designated early voting location, beginning fifteen (15) days
3 before a preferential primary or general election between the hours of 8:00
4 a.m. and 6:00 p.m. Monday through Friday and 10:00 a.m. and 4:00 p.m.
5 Saturday and ending at ~~5:00 p.m.~~ 4:00 p.m. on the ~~Monday~~ Saturday before the
6 election.

7 (B) Early voting shall not be available on:

8 (i) Sundays; or

9 (ii) ~~state~~ State or county holidays.

10 (2) However, on all other elections, including, but not limited
11 to, general primary and general runoff elections, early voting shall be
12 available to any qualified elector who applies to the county clerk during
13 regular office hours, beginning fifteen (15) days before an election and
14 ending on the fourth day before the election day at the time the county
15 clerk's office regularly closes.

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

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

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

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

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

32 (B)(i) If the county board decides to hold early voting at
33 additional polling sites outside the office of the county clerk, the county
34 clerk may choose not to hold early voting within the office of the county
35 clerk. The county clerk shall notify the county board within ten (10) days of
36 the receipt of notice from the county board regarding early voting at

1 additional polling sites.

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

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

10 (5) The county clerk shall publish the additional hours for
11 early voting with the location of additional early voting polling sites in a
12 newspaper of general circulation at least five (5) days before early voting
13 begins.

14 (6) All voted ballots and unvoted ballots and all related
15 election materials at each additional early voting polling site shall be
16 stored in a secure location in the county courthouse or in a secure location
17 as determined by the county board of election commissioners immediately after
18 the close of the additional polling sites each day that early voting is
19 conducted there.

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

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

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

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

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

32 (d) If the voter is not listed in the county voter registration record
33 files and the county clerk is unable to verify the voter's registration and
34 if the voter contends that he or she is eligible to vote, then the voter may
35 vote a provisional ballot which shall be counted only upon verification of
36 the voter's registration status.

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

4 (f) Upon casting his or her ballot, the voter shall then deposit the
5 ballot in the appropriate box in the same manner as for votes cast on the day
6 of the election.

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

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

12
13 /s/ Rosenbaum, et al
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

- 1
- 2
- 3
- 4
- 5