

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 2007-046

State of Arkansas

As Engrossed: H3/7/07

86th General Assembly

A Bill

Regular Session, 2007

HOUSE BILL 2263

By: Representative Pate

Referred to

City, County & Local Affairs Committee- House

by the House of Representatives

on 03/29/2007

For An Act To Be Entitled

AN ACT TO REQUIRE A COUNTY BOARD OF ELECTION COMMISSIONERS TO RECEIVE QUORUM COURT APPROVAL PRIOR TO ALTERING POLLING SITES; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE A COUNTY BOARD OF ELECTION COMMISSIONERS TO RECEIVE QUORUM COURT APPROVAL PRIOR TO ALTERING POLLING SITES.

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

SECTION 1. Arkansas Code § 7-5-101 is amended to read as follows:

7-5-101. Precinct boundaries and polling sites - Establishment and alteration.

(a)(1) The county board of election commissioners is empowered to alter the boundaries of existing election precincts and to establish new ones when, in its judgment, it may be necessary.

(2)(A) The county board shall fix a polling site for each election precinct.

(B) The county board may combine polling sites for two (2)

1 or more precincts when, in its judgment, it may be necessary.

2 (C) The county board may allow school elections to be
3 conducted by early voting and absentee voting only and open no polling sites
4 on a school election day in any election year if no more than one (1)
5 candidate for school district director presents a petition or notice in
6 writing to the county board of election commissioners as required by § 6-14-
7 111 and if there are no other ballot issues to be submitted to district
8 electors for consideration, if requested by resolution adopted by the board
9 of directors of any school district.

10 (3) In changing the boundaries of existing precincts or in
11 creating new ones, the county board shall arrange them so that all qualified
12 voters residing in the precincts may vote on the same day.

13 (4)(A) The county board shall not have the power to change the
14 boundaries of existing precincts, to create any new precinct, or to change
15 the polling site in any precinct within ~~thirty (30)~~ ninety (90) days of any
16 election, but all elections shall be held at the sites and within the
17 boundaries as they existed ~~thirty (30)~~ ninety (90) days before the date of
18 the election.

19 (B) In the event of an emergency, a county board may
20 change a precinct boundary or a polling site.

21 (b) All polling sites shall be fixed at well-known points in the
22 several precincts and easily accessible to all electors entitled to vote
23 therein.

24 (c)(1)(A) The action of the county board in changing the polling site
25 in any precinct, in altering the boundaries of any precinct, or in
26 establishing any new one shall be determined in a public meeting pursuant to
27 § 7-4-105 and shall be entered in the record to be kept on file in the county
28 clerk's office.

29 (B) A copy of the order, which shall set out intelligently
30 and accurately the boundaries of precincts as so altered or established,
31 shall be filed with the clerk of the county court, who shall record the order
32 at full length on the record book on which the minutes of the proceedings of
33 the county court are recorded.

34 (2)(A)(i)(a) Within thirty (30) days after altering the
35 boundaries of an election precinct or establishing a new one, the county
36 board shall submit four (4) copies of the changes to the Secretary of State.

1 (b) The changes shall be submitted in the form
2 of a map and shall include a written description.

3 (ii) A short statement of why the changes were made
4 may be included.

5 (B) Upon receipt of the changes, the Secretary of State
6 shall immediately forward a copy to the office of the Attorney General, the
7 State Data Center, and the Cartography Section of the Arkansas State Highway
8 and Transportation Department.

9 (d)(1) Notice of any changes made in polling sites shall also be given
10 to the electors by prominently posting information about any changes at all
11 previous polling sites which were used in the last election.

12 (2) Except for school elections and special elections, the
13 notice shall also be mailed by the county clerk to each affected registered
14 voter at least fifteen (15) days before the election.

15 (e)(1) Prior to the elimination of a polling site, the county board
16 shall hold a public meeting on the matter.

17 (2)(A) If the county board seeks elimination of a polling site
18 following the public meeting, the county board shall send the matter to the
19 county judge for a hearing and order on the matter.

20 (B) Notice of a hearing before the county judge shall be
21 published in a newspaper having general circulation in the county once a week
22 for two (2) weeks prior to the hearing.

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24 /s/ Pate
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