

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Mullenix

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7

A Bill

HOUSE BILL

1452

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §§7-5-208 AND 7-5-307 TO
9 REQUIRE THE BALLOT NUMBER TO BE PRINTED ON THE BALLOT STUB
10 PORTION OF THE BALLOT; AND FOR OTHER PURPOSES."

11

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Subtitle

13 "TO REQUIRE THE BALLOT NUMBER TO BE
14 PRINTED ON THE BALLOT STUB PORTION OF
15 THE BALLOT"

16

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

18

19 SECTION 1. Arkansas Code 7-5-208 is amended to read as follows:

20 "7-5-208. Ballots - Form.

21 (a) All election ballots provided by the county board of election
22 commissioners of any county in this state for any election shall be alike and
23 shall be printed in plain type.

24 (b) Each ballot shall be printed on a single sheet of paper with a
25 perforated portion capable of being detached for use as the ballot stub.

26 (c) As ballots are printed, the portion that shall be used as the
27 ballot stub, shall be numbered consecutively from one (1) to the number which
28 is the total amount of ballots provided for the election.

29 (d) On the back or outside of the ballot shall be printed the words
30 OFFICIAL BALLOT for, followed by the appropriate designation
31 for the particular election and its date.

32 (e) The heading on the front or inner side of each ballot shall be:
33 OFFICIAL BALLOT ELECTION, 19 . .

34 Vote by placing an "X" in the square opposite the person for whom you
35 wish to vote._

1 If the ballot contains an initiated or referred amendment, act, or
 2 measure, the heading shall also contain these words - Vote on amendments,
 3 acts, and measures by placing an "X" in the square above the amendment (or
 4 act or measure) either FOR or AGAINST.

5 (f)(1) Every ballot shall contain the name of each candidate who has
 6 been nominated or has qualified in accordance with law for each office. The
 7 names of the candidates shall be listed in a perpendicular column under the
 8 name of each office to be filled.

9 (2)(A) However, the names of all unopposed candidates for
 10 offices for which no notice has been filed within the time prescribed in
 11 § 7-5-205, except the names of all unopposed candidates for the office of
 12 mayor or circuit clerk, shall be grouped together on the ballot indicating
 13 the office and the name of the unopposed candidate for each office in a
 14 single column. At the top of the list of the names of all unopposed
 15 candidates shall appear on the ballot the words Unopposed Candidates, and
 16 to the right thereof there shall be a square in which the voter may cast a
 17 vote for all the candidates by placing an "X" in the square.

18 (B) The names of unopposed candidates for the office of
 19 mayor or circuit clerk shall be separately printed from any grouping of
 20 unopposed candidates, with a square in which the voter may cast a vote for
 21 each unopposed candidate for the office of mayor or circuit clerk by placing
 22 an "X" in the square, so that the votes may be separately counted and
 23 tabulated as required in § 7-5-315.

24 (3) In all elections, except primary elections, at the bottom of
 25 each list of names for each position or office appearing on the ballot there
 26 shall be a blank line or lines, for possible write-in votes for that position
 27 or office. However, the blank line shall not appear on the ballot with
 28 respect to those offices and candidates for positions in which no person has
 29 qualified as a write-in candidate by filing his intentions to be a write-in
 30 candidate within the time prescribed in § 7-5-205.

31 (4) The order in which the names of the respective candidates
 32 shall appear on the ballots shall be determined by lot at a public meeting of
 33 the county board of election commissioners not less than thirty-five (35)
 34 days prior to the general elections; it is expressly understood and provided
 35 that the selection on the order of the ballot in all other elections shall be

1 and remain as provided by law.

2 (5) Beside the name of each candidate in the general election
3 shall be his party designation or the name _INDEPENDENT_ if he represents no
4 officially recognized party.

5 (g) At the right of the name of each candidate and on the same line
6 there shall be a square. Above each act, amendment, or measure to be voted
7 on there shall be the words _FOR_ and _AGAINST_ - one above the other with a
8 square to the right of each word and on the same line. With respect to all
9 offices and the candidates for those offices who are unopposed and have been
10 grouped together in the manner provided in subsection (f) of this section,
11 the names of all those candidates and their respective offices shall appear
12 under the heading of _Unopposed Candidates_. The elector shall vote on each
13 and all such candidates by casting a single vote in a square placed to the
14 right of the heading _Unopposed Candidates_ as provided in subdivision (f)(2)
15 of this section.

16 (h) Opposite the designation of each office there shall appear these
17 words: _VOTE FOR_. The number of persons required to fill the
18 vacancy in office shall be placed in the blank space as:

19 _Justice of the Peace VOTE FOR TEN (10)._"
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21 SECTION 2. Arkansas Code 7-5-307 is amended to read as follows:

22 "7-5-307. Judge's initials.

23 Before giving the voter a ballot, the judge shall initial the back of
24 the ballot."
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26 SECTION 3. All provisions of this act of a general and permanent
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
28 Code Revision Commission shall incorporate the same in the Code.
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30 SECTION 4. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.
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1 SECTION 5. All laws and parts of laws in conflict with this act are
2 hereby repealed.