

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Calhoun

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## For An Act To Be Entitled

8 "AN ACT TO AMEND 7-5-319 TO LIMIT THE PERSONS THAT MAY  
9 PARTICIPATE IN A RECOUNTS; TO GIVE THE PROSECUTING  
10 ATTORNEY SUPERVISORY AUTHORITY OVER THE CONDUCT OF A  
11 RECOUNT; AND FOR OTHER PURPOSES."

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### Subtitle

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

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SECTION 1. Arkansas Code 7-5-319(b) is amended to read as follows:

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"(b) Upon the prayer of the petition being granted, the commissioners shall open the package containing the ballots and recount the ballots in the manner prescribed by law for the count to be made by the judges in the first instance. The county board of election commissioners, the candidate, no more than three (3) representatives designated by the candidate, and the prosecuting attorney are the only persons that may lawfully participate in a recount of ballots under this section, which shall be conducted under the supervision of the prosecuting attorney. No other person shall be allowed to participate in the recount. The result as found upon the recount, if it differs from that certified by the judges, shall be included in the canvass as the vote for the particular precinct for which the recount was ordered and made."

# A Bill

HOUSE BILL

1816

1           SECTION 2. All provisions of this act of a general and permanent  
2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
3 Code Revision Commission shall incorporate the same in the Code.

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5           SECTION 3. If any provision of this act or the application thereof to  
6 any person or circumstance is held invalid, such invalidity shall not affect  
7 other provisions or applications of the act which can be given effect without  
8 the invalid provision or application, and to this end the provisions of this  
9 act are declared to be severable.

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11           SECTION 4. All laws and parts of laws in conflict with this act are  
12 hereby repealed.

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