

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Senator Smith

# A Bill

SENATE BILL 694

## For An Act To Be Entitled

"AN ACT TO ESTABLISH STATE ELECTION INSPECTORS; AND FOR  
OTHER PURPOSES."

### Subtitle

"TO ESTABLISH STATE ELECTION INSPECTORS"

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

#### SECTION 1. Appointment of State Inspectors.

(a) The Secretary of State may appoint one or more state inspectors for an election.

(b) The Secretary of State shall appoint one or more inspectors for an election if he receives a written request for the appointment from fifteen (15) or more registered voters:

(1) of the county for which the inspector is requested, for an election ordered by the governor or a county authority or for a primary election; or

(2) of the political subdivision in which the election specified by the request is held, for an election ordered by an authority of a political subdivision other than a county.

(c) A request for one or more state inspectors for an election must be received by the Secretary of State not later than the fourth (4th) regular business day before the date of the election for which the inspectors are requested.

(d) State inspectors are responsible to the Secretary of State and subject to his direction. The Secretary of State may terminate an appointment at any time.

1           SECTION 2. Duties and Powers.

2           (a) A state inspector is entitled to be present at and observe any  
3 function or activity at a polling place, central counting station, place of  
4 canvass, or other place at which official election or voter registration  
5 functions or activities take place. An inspector may take reasonable steps  
6 to obtain evidence of the manner in which a function or activity is being  
7 performed, except that:

8                   (1) A state inspector may not observe the preparation of the  
9 ballot of a voter not being assisted by an election officer.

10                   (2) A state inspector may only observe the preparation of the  
11 ballot of a voter being assisted by an election officer with the express  
12 consent of the voter.

13           (b) A state inspector shall report to the Secretary of State any  
14 violation of law that the inspector observes.

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16           SECTION 3. Travel Expenses.

17           Subject to specific legislative appropriation and reasonable  
18 limitations established by the Department of Finance and Administration, the  
19 Secretary of State may reimburse state inspectors for travel expenses in an  
20 amount determined by the Secretary of State but not to exceed travel expenses  
21 allowable to State employees generally.

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23           SECTION 4. Inspections by Secretary of State.

24           The Secretary of State or a member of the Secretary of State's staff  
25 may make inspections in the same manner as state inspectors whether or not a  
26 violation of election laws is suspected.

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28           SECTION 5. Action by Secretary of State.

29           The Secretary of State may refer a reported violation of law for  
30 appropriate action to the Attorney General, if the Attorney General has  
31 jurisdiction, or to a prosecuting attorney having jurisdiction.

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33           SECTION 6. All provisions of this act of a general and permanent  
34 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
35 Code Revision Commission shall incorporate the same in the Code.

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

SECTION 8. All laws and parts of laws in conflict with this act are hereby repealed.

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