

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H1/15/97

## A Bill

HOUSE BILL 1048

4 By: Representatives Jones, Stewart, Maddox, Capps, George, Dietz, Broadway, Curran, Flanagan, Cunningham, Northcutt, Young, Terry Smith and McGinnis

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### For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-5-418 CONCERNING EARLY

9 VOTING; AND FOR OTHER PURPOSES."

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### Subtitle

12 "AN ACT CONCERNING EARLY VOTING."

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

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16 SECTION 1. Arkansas Code 7-5-418 is amended to read as follows:

17 "7-5-418. Early voting.

18 (a) Early voting shall be available to any qualified elector who  
19 applies at the office of the county clerk during regular office hours,  
20 beginning fifteen (15) days before an election and ending on the day before  
21 election day at the time the county clerk's office regularly closes. The  
22 county clerk, upon approval of the county board of election commissioners,  
23 may:

24 (1) provide one (1) or more additional locations at which  
25 qualified electors may apply to vote and cast his or her ballot; and

26 (2) provide additional hours for voting.

27 (b) Before a person is permitted to cast an early vote, the county  
28 clerk shall:

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

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

34 (3) Request the voter to sign an early voting roster or early  
35 voting request form and print his name, address, and the date on the roster or  
36 form; and

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

3                   (c) If the voter is not listed in the county voter registration record  
4 files and the county clerk is unable to verify the voter's registration and  
5 the voter contends that he or she is eligible to vote, then the voter may vote  
6 a challenged ballot which shall only be counted upon verification of the  
7 voter's registration status.

8                   (d) The county clerk shall furnish voting locations that adequately  
9 allow the early voter to personally and secretly execute his or her ballot.

10                  (e) Upon casting his or her ballot, the voter shall then deposit the  
11 ballot and the stub in the appropriate box in the same manner as for votes  
12 cast on the day of the election.

13                  (f) Early votes shall be maintained in the same manner and counted at  
14 the same time as votes cast on the day of the election.

15                  (g) Except as provided in this section, early voting shall be conducted  
16 in the same manner as voting on election day. Conduct that is prohibited or  
17 restricted on election day shall be subject to the same prohibitions and  
18 restrictions on the days on which early voting is conducted."

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

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24                  SECTION 3. If any provision of this act or the application thereof to  
25 any person or circumstance is held invalid, such invalidity shall not affect  
26 other provisions or applications of the act which can be given effect without  
27 the invalid provision or application, and to this end the provisions of this  
28 act are declared to be severable.

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

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*/s/Jones et al*

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