

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H3/11/97

# A Bill

HOUSE BILL 2017

5 By: Representative Stalnaker  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 7-5-418 CONCERNING EARLY  
10 VOTING; AND FOR OTHER PURPOSES."

### Subtitle

13 "AN ACT CONCERNING EARLY VOTING."  
14

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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17 SECTION 1. Arkansas Code 7-5-418 is amended to read as follows:  
18 ~~7-5-418.~~ Early voting.

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

23 (b)(1) In any county containing one hundred fifty thousand (150,000)  
24 registered voters or more, the county board of election commissioners may  
25 decide to hold early voting at additional polling sites outside the offices of  
26 the county clerk, and to include the additional voting locations for a maximum  
27 of fifteen (15) days, but fewer if it so chooses by majority vote. The county  
28 board of election commissioners shall determine by unanimous vote the location  
29 of additional polling sites for early voting. The county clerk shall publish  
30 the location of additional early voting polling sites in a newspaper of  
31 general circulation at least five (5) days before early voting begins.

32 (2) The county board of election commissioners shall select the  
33 number of election officials necessary to adequately staff the additional  
34 early voting polling site or sites as in any other election.

35 (3) The county board of election commissioners shall notify the  
36 county clerk of its decision to hold early voting at additional polling sites

1 outside the office of the county clerk within ten (10) days of the decision.  
2 If the county board of election commissioners decides to hold early voting at  
3 additional polling sites outside the office of county clerk, the county clerk  
4 may choose not to hold early voting within the office of the county clerk .

5 The county clerk shall notify the county board of election commissioners  
6 within ten (10) days of the receipt of notice from the county board of  
7 election commissioners regarding early voting at additional polling sites.

8 ~~—————(5)~~ (4) The early voting election official shall record the date  
9 on all pages of the early voting roster or early voting request form and keep  
10 a daily record of the number of early ballots cast.

11 ~~—————(6)~~ (5) The county board of election commissioners may vote to  
12 extend the normal hours for voting during early voting. The county clerk  
13 shall publish the additional hours for early voting with the location of  
14 additional early voting polling sites in a newspaper of general circulation at  
15 least five (5) days before early voting begins.

16 ~~————(b)~~ (c) Before a person is permitted to cast an early vote, the county  
17 clerk or election official shall:

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

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

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

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

28 ~~————(e)~~ (d) If the voter is not listed in the county voter registration  
29 record files and the county clerk is unable to verify the voter's registration  
30 and the voter contends that he or she is eligible to vote, then the voter may  
31 vote a challenged ballot which shall only be counted upon verification of the  
32 voter's registration status.

33 ~~————(d)~~ (e) The county clerk or county board of election commissioners shall  
34 furnish voting locations that adequately allow the early voter to personally  
35 and secretly execute his or her ballot.

36 ~~————(e)~~ (f) Upon casting his or her ballot, the voter shall then deposit the

1 ballot and the stub in the appropriate box in the same manner as for votes  
2 cast on the day of the election.

3 ~~\_\_\_\_\_ (f)(g) Early votes shall be maintained in the same manner and counted~~  
4 ~~at the same time as votes cast on the day of the election~~ absentee ballots.

5 (h) Except as provided in this section, early voting shall be conducted  
6 in the same manner as voting on election day. Conduct that is prohibited or  
7 restricted on election day shall be subject to the same prohibitions and  
8 restrictions on the days on which early voting is conducted.

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

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14 SECTION 3. If any provision of this act or the application thereof to  
15 any person or circumstance is held invalid, such invalidity shall not affect  
16 other provisions or applications of the act which can be given effect without  
17 the invalid provision or application, and to this end the provisions of this  
18 act are declared to be severable.

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

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24 /s/Rep. Stalnaker

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