Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 2	State of Arkansas 84th General Assembly	As Engrossed: H4/10/03 A Bill	
2	Regular Session, 2003		HOUSE BILL 2341
4	Regular Session, 2005		HOUSE DILL 2341
4 5	By: Representative C. Taylor		
6	5 1 5		
7			
8		For An Act To Be Entitled	
9	AN ACT TO REVISE NONPARTISAN JUDICIAL ELECTIONS;		
10	AND FOR O	THER PURPOSES.	
11			
12		Subtitle	
13	AN ACT	TO REVISE NONPARTISAN JUDICIAN	L
14	ELECTIO	ONS.	
15			
16			
17	BE IT ENACTED BY THE GEN	VERAL ASSEMBLY OF THE STATE OF	ARKANSAS:
18			
19	SECTION 1. Arkans	sas Code § 7-5-405(a) is amende	ed to read as follows:
20	(a) Applications	for absentee ballots may be ma	ade on a form furnished
21	by the county clerk, and	I the county clerk shall supply	y a form substantially
22	similar to the following	g form or an electronic facsimi	ile of a substantially
23	-	onic transmission on request at	t least sixty (60) days
24	before the election:		
25		E INFORMATION ON THIS FORM, YOU	
26		A FINE OF UP TO \$10,000 OR IMPR	RISONMENT FOR UP TO 10
27	YEARS.	_	
28		Date	
29	To: County Clerk		
30	••••••	•	
31		, Arkansas	9
32		qualified elector of precinct	
33 34	-	Town), County, Ar	rkansas. Decause 1:
34 35	[check one]	oly absent from my polling site	on election day or
36		o attend the polls on election	•



1 or physical disability, 2 I am requesting that you provide me with the appropriate absentee 3 ballot(s) for the following elections: (check only one (1) political party): 4 [] Nonpartisan Judicial General Election 5 [] Preferential Primary 6 [] Democratic / Nonpartisan Judicial General Election 7 [] Republican/ Nonpartisan Judicial General Election 8 [] General Primary (Runoff) [] Democratic [] Republican 9 [] Annual School Election 10 [] General Election 11 [] General Runoff 12 [] Special [] School Runoff [] All elections for calendar year [designate party] (I understand 13 14 that if I select all elections for the calendar year that the absentee 15 ballots will be delivered to me only by mail.) 16 The application shall remain in effect for the current calendar year 17 unless revoked by voter. (2) I will receive my ballot(s): [check one] 18 19 [] By coming to the office of the county clerk by the time the county clerk's office regularly closes on the day before the election. 20 21 [] By mail. I request that you mail my ballot(s) to the following address: 22 23 24 [] By bearer (insert name of relative, agent, or 25 designated bearer) 26 The information I have provided is true to the best of my knowledge under 27 penalty of perjury. If I have provided false information, I may be subject 28 to a fine of up to ten thousand dollars (\$10,000) or imprisonment for up to 29 ten (10) years, or both, under federal or state laws. 30 Printed or typed name of voter 31 Signature of voter 32 33 Residence address of voter Date of birth 34 35 City or Town, Zip Code Signature of Designated Bearer, Relative, or 36 Authorized Agent."

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HB2341

1			
2	SECTION 2. Arkansas Code § 7-10-102 is amended to read as follows:		
3	7-10-102. Nonpartisan election of judges and justices.		
4	(a) The offices of Justice of the Supreme Court, Judge of the Court of		
5	Appeals, circuit judge, and district judge are declared to be nonpartisan		
6	offices.		
7	(b)(l) <u>(A)(i) The general elections for</u> When there are more than two		
8	(2) candidates for a judicial office, the candidates shall be placed on a		
9	ballot for election at a primary election for nonpartisan judicial offices		
10	shall <u>to</u> be held on the same dates and at the same times and places as		
11	provided by law for preferential primary elections.		
12	(ii)(a) If no candidate receives a majority of the		
13	votes cast, the two (2) candidates receiving the highest and next highest		
14	number of votes shall be certified to a runoff election which shall be held		
15	on the same date and at the same times and places as the November general		
16	election.		
17	(b) In the event that the two (2) candidates		
18	receive the same number of votes in the general election, a tie shall be		
19	deemed to exist and the names of the two (2) candidates shall be placed on a		
20	ballot to be voted upon at an election to be held three (3) weeks following		
21	the date of the general election.		
22	(B)(i) When there are only two (2) candidates for a		
23	judicial office, the candidates shall be placed on a ballot for election		
24	which shall be held on the same date and at the same times and places as the		
25	November general election.		
26	(ii) In the event that the two (2) candidates receive		
27	the same number of votes in the general election, a tie shall be deemed to		
28	exist and the names of the two (2) candidates shall be placed on a ballot to		
29	be voted upon at an election to be held three (3) weeks following the date of		
30	the general election.		
31	(C) No person shall be elected to a nonpartisan judicial		
32	office without receiving a majority of the votes cast at the election for the		
33	<u>office.</u>		
34	(2) The names of candidates for nonpartisan judicial offices		
35	shall be included on the ballots of the political parties and shall be		
36	designated as nonpartisan judicial candidates. However, separate ballots		

3

As Engrossed: H4/10/03

1	containing only the names of nonpartisan judicial candidates shall be
2	prepared and shall be made available to voters requesting the same.
3	(3) No voter shall be required to vote in a political party's
4	preferential primary in order to be able to vote in nonpartisan judicial
5	elections.
6	(c)(l) No person shall be elected to a nonpartisan judicial office
7	without receiving a majority of the votes cast at the election for the
8	office.
9	(2) In any nonpartisan judicial election in which no person
10	receives a majority of the votes cast, the two (2) candidates receiving the
11	highest and next highest number of votes shall be certified to a runoff
12	election which shall be held on the same date and at the same times and
13	places as the November general election.
14	(3) The names of the candidates in a nonpartisan judicial runoff
15	election shall be placed on the same ballots as used for the November general
16	elections.
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18	/s/ C. Taylor
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