

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 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: H3/17/03*

# A Bill

HOUSE BILL 2485

5 By: Representatives Hardwick, Agee  
6 By: Senator Wilkinson  
7

## For An Act To Be Entitled

10 AN ACT TO PROVIDE INSTANT RUNOFF VOTING FOR  
11 MILITARY AND OVERSEAS VOTERS; AND FOR OTHER  
12 PURPOSES.  
13

### Subtitle

15 AN ACT TO PROVIDE INSTANT RUNOFF VOTING  
16 FOR MILITARY AND OVERSEAS VOTERS.  
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18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 7-5-406, concerning absentee voting by  
22 members of the military and citizens residing outside the United States, is  
23 amended to add additional subsection to read as follows:

24 (c)(1) For the qualified electors in the categories named in  
25 subsection (a) of this section, the county board of election commissioners  
26 shall prepare and mail a special absentee ballot for each preferential  
27 primary and general election to be sent to the voter in addition to the  
28 regular absentee ballot.

29 (2)(A) The special ballot shall contain a list of all offices  
30 being contested and the candidates qualifying for the election in each  
31 office.

32 (B) The special ballot shall permit the elector to vote in  
33 the general primary election or in a general runoff election by indicating  
34 his or her order of preference for each candidate for each office.

35 (C) To indicate his or her order of preference for each  
36 candidate for each office, the voter shall put the number one (1) next to the



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1 name of the candidate who is the voter's first choice, the number two (2) for  
2 the voter's second choice, and so forth, so that, in consecutive numerical  
3 order, a number indicating the voter's preference is written by the voter  
4 next to the candidate's name on the ballot.

5 (D) However, the voter shall not be required to indicate  
6 his or her preference for more than one (1) candidate on the ballot if he or  
7 she chooses.

8 (3) The special absentee ballot shall be marked as a "special  
9 runoff ballot".

10 (4) Instructions shall be sent with the special runoff absentee  
11 ballot to the qualified voter explaining the instant runoff voting process.

12  
13 SECTION 2. Arkansas Code § 7-5-416, concerning counting of absentee  
14 ballots, is amended to add an additional subsection to read as follows:

15 (f)(1) Absentee ballots marked as "special runoff ballots" received  
16 from a qualified voter that meets one of the categories in § 7-5-406(a),  
17 shall be opened for general primary elections and general runoff elections  
18 according to the procedures described in subsection (b) of this section.

19 (2) However, in counting the special runoff ballot, one (1) of  
20 the election officials shall open the envelope containing the special runoff  
21 ballot and read the numbers indicated next to the names of the two (2)  
22 candidates in the general primary election or in the general runoff election.

23 (3) The candidate with the highest ranking shall receive the  
24 vote.

25 (4) Special runoff ballots received with the preferential  
26 primary absentee ballot shall be counted in the general primary election and  
27 special runoff ballots received with the general election absentee ballot  
28 shall be counted in the general runoff election.

29 (5) The Secretary of State shall prepare instructions for  
30 opening, counting, and canvassing special runoff ballots and provide the  
31 instructions to each county board of election commissioners.

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33 /s/ Hardwick, et al  
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