

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 S4/4/03

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.

Subtitle

15 AN ACT TO PROVIDE INSTANT RUNOFF VOTING
16 FOR MILITARY AND OVERSEAS VOTERS.

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

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 a special absentee ballot for each preferential primary and
27 general election to be sent to the voter in addition to the regular absentee
28 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



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.

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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
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