

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 *As Engrossed: H1/18/05 H1/20/05 H1/26/05*

2 85th General Assembly

A Bill

3 Regular Session, 2005

HOUSE BILL 1006

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5 By: Representatives J. Hutchinson, Sumpter, Rosenbaum, J. Johnson, Pace

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For An Act To Be Entitled

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AN ACT CONCERNING PRESIDENTIAL PREFERENTIAL

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PRIMARY ELECTIONS AND PRESIDENTIAL PREFERENCE

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CAUCUSES; AND FOR OTHER PURPOSES.

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Subtitle

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AN ACT CONCERNING PRESIDENTIAL

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PREFERENTIAL PRIMARY ELECTIONS AND

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PRESIDENTIAL PREFERENCE CAUCUSES.

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

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19 *SECTION 1. Arkansas Code § 7-7-201(a), concerning the cost of*
20 *presidential primary elections, is amended to read as follows:*

21 *(a) Except as provided in § 7-8-201, ~~The~~ the cost of political party*
22 *primaries shall be borne by the State of Arkansas and shall be paid from an*
23 *appropriation made to the State Board of Election Commissioners for that*
24 *purpose.*

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26 *SECTION 2. Arkansas Code § 7-7-203(b), concerning the date of the*
27 *preferential primary election, is amended to read as follows:*

28 *(b) Except as provided in § 7-8-201, ~~The~~ the preferential primary*
29 *election shall be held on the Tuesday three (3) weeks prior to the general*
30 *primary election.*

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32 *SECTION 3. Arkansas Code § 7-7-203(c)(2), concerning filing for*
33 *preferential primary elections, is amended to read as follows:*

34 *(2) Except as provided in § 7-8-201, A a party certificate and the*
35 *political practice pledge for primary elections shall be filed with the*
36 *county clerk or the Secretary of State, as the case may be, during regular*



1 office hours in the period beginning at 12:00 noon on the third Tuesday in
2 March and ending at 12:00 noon on the fourteenth day thereafter before the
3 preferential primary election.

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5 SECTION 4. Arkansas Code § 7-8-201 is amended to read as follows:

6 7-8-201. Preferential elections or presidential preference caucuses
7 required - Apportionment of delegates.

8 (a)(1) Except as provided in subsection (b) of this section, Each each
9 political party in the state desiring to select delegates to attend a
10 quadrennial national nominating convention of the party to select a nominee
11 for the office of President of the United States shall hold a preferential
12 primary election in the state.

13 (2) and the delegates Delegates to the national party convention shall
14 be apportioned to the presidential candidates whose names were on the ballot
15 at the preferential primary or to uncommitted in the proportion that the
16 votes cast for each candidate or for uncommitted bear to the total votes cast
17 at the election, rounded to the closest whole number.

18 (3) Preferential primary elections for the purpose of selecting
19 nominees for the office of President of the United States shall be held on
20 the first Saturday of February of the year in which the convention is held.

21 (4) A party certificate shall be filed with the Secretary of State
22 during regular office hours in the period beginning at 12:00 noon on the
23 first Monday in November and ending at 12:00 noon on the fourteenth day
24 thereafter before the presidential preferential primary election.

25 (5)(A) The political party may enact rules governing presidential
26 preferential primary election procedures that shall supersede all other
27 election laws of this state.

28 (B) However, rules governing election procedures enacted by political
29 parties for presidential preferential primary elections shall not conflict
30 with federal law.

31 (b)(1) Each political party in the state desiring to select delegates
32 to attend a quadrennial national nominating convention of the party to select
33 a nominee for the office of president may conduct a presidential preference
34 caucus.

35 (2) A political party selecting delegates by presidential preference
36 caucus shall adopt appropriate rules for conducting the caucus.

1 (3) Delegates shall be apportioned to the presidential candidates whose
2 names were presented at the presidential preference caucus or to uncommitted
3 in the proportion that the votes cast for each candidate or for uncommitted
4 bear to the total votes cast at the election, rounded to the closest whole
5 number.

6 (4) Presidential preference caucuses shall occur on the first Saturday
7 of February in the year in which the convention is held.

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9 SECTION 5. Arkansas Code § 7-8-204 is amended to read as follows:

10 7-8-204. Rules for selection of delegates and alternates.

11 Each political party holding a preferential primary election or
12 presidential preference caucus in the state shall adopt appropriate rules for
13 the selection of delegates and alternate delegates to the quadrennial
14 national nominating convention of the party and to otherwise carry out the
15 intent and purposes of this subchapter.

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17 SECTION 6. Arkansas Code § 7-8-302(5)(A), concerning the nomination of
18 presidential and vice-presidential candidates by political parties, is
19 amended to read as follows:

20 (5)(A) In order to have the name of a political party's candidates for
21 President and Vice President printed on the ballot, a political party shall
22 nominate by primary election or by presidential preference caucus. A new
23 political party formed pursuant to the petition process may nominate by
24 convention if the presidential election is the first general election after
25 certification as a party by the Secretary of State.

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27 /s/ J. Hutchinson, et al
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