

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 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1417

4  
5 By: Representatives Pritchard, Edwards  
6 By: Senator Madison

## For An Act To Be Entitled

10 AN ACT TO CLARIFY ARKANSAS LAW CONCERNING EARLY  
11 VOTING; AND FOR OTHER PURPOSES.

### Subtitle

14 AN ACT TO CLARIFY ARKANSAS LAW  
15 CONCERNING EARLY VOTING.

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

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20 SECTION 1. Arkansas Code § 7-5-418 is amended to read as follows:

21 7-5-418. Early voting.

22 (a)(1)(A) Except as provided in subdivision (a)(1)(B) of this section,  
23 early ~~Early~~ voting shall be available to any qualified elector who applies to  
24 the county clerk's designated early voting location, beginning fifteen (15)  
25 days before a preferential primary, ~~general primary,~~ or general election, ~~or~~  
26 ~~general run-off election~~ between the hours of 8:00 a.m. to 6:00 p.m. Monday  
27 through Friday and 1:00 p.m. to 4:00 p.m. Saturday and ending at ~~6:00 p.m.~~  
28 5:00 p.m. on the Monday before the election.

29 (B) Early voting shall not be available on state holidays.

30 (2) However, on all other elections, including, but not limited  
31 to, general primary and general run-off elections, early voting shall be  
32 available to any qualified elector who applies to the county clerk during  
33 regular office hours, beginning fifteen (15) days before an election and  
34 ending on the day before the election day at the time the county clerk's  
35 office regularly closes.

36 (b)(1)(A) The county board of election commissioners may decide to



1 hold early voting at additional polling sites outside the offices of the  
 2 county clerk and to include the additional voting locations for a maximum of  
 3 fifteen (15) days on any of the days and times provided for in subsection (a)  
 4 of this section, if it so chooses.

5 (B) The county board shall determine by unanimous vote the  
 6 location of additional polling sites for early voting.

7 (C) The county clerk shall publish the location of  
 8 additional early voting polling sites in a newspaper of general circulation  
 9 at least five (5) days before early voting begins.

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

13 (3)(A) The county board shall notify the county clerk of its  
 14 decision to hold early voting at additional polling sites outside the office  
 15 of the county clerk within ten (10) days of the decision.

16 (B)(i) If the county board decides to hold early voting at  
 17 additional polling sites outside the office of county clerk, the county clerk  
 18 may choose not to hold early voting within the office of the county clerk.  
 19 The county clerk shall notify the county board within ten (10) days of the  
 20 receipt of notice from the county board regarding early voting at additional  
 21 polling sites.

22 (ii) If the county clerk decides not to hold early  
 23 voting within the office of the county clerk as provided in subdivision  
 24 (b)(3)(B)(i) of this section, early voting shall be held at one (1) or more  
 25 conveniently located polling sites on the days and times provided in  
 26 subsection (a) of this section.

27 (4) The early voting election official shall record the date on  
 28 all pages of the early voting roster or early voting request form and keep a  
 29 daily record of the number of early ballots cast.

30 (5) The county clerk shall publish the additional hours for  
 31 early voting with the location of additional early voting polling sites in a  
 32 newspaper of general circulation at least five (5) days before early voting  
 33 begins.

34 (6) All voted ballots and unvoted ballots and all related  
 35 election materials at each additional early voting polling site shall be  
 36 stored in a secure location in the county courthouse or in a secure location

1 as determined by the county board of election commissioners immediately after  
 2 the close of the additional polling sites each day that early voting is  
 3 conducted there.

4 (c) Before a person is permitted to cast an early vote, the county  
 5 clerk or election official shall:

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

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

11 (3) Request the voter to sign an early voting roster or early  
 12 voting request form which identifies his name, address, date of birth, and  
 13 the date on the roster or form; and

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

16 (d) If the voter is not listed in the county voter registration record  
 17 files and the county clerk is unable to verify the voter's registration and  
 18 if the voter contends that he or she is eligible to vote, then the voter may  
 19 vote a ~~challenged~~ provisional ballot which shall only be counted upon  
 20 verification of the voter's registration status.

21 (e) The county clerk or county board shall furnish voting locations  
 22 that adequately allow the early voter to personally and secretly execute his  
 23 or her ballot.

24 (f) Upon casting his or her ballot, the voter shall then deposit the  
 25 ballot and the stub in the appropriate box in the same manner as for votes  
 26 cast on the day of the election.

27 (g) Early votes shall be counted at the same time as absentee ballots.

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

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