

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.

State of Arkansas  
85th General Assembly  
Regular Session, 2005

*As Engrossed: S3/2/05*

# A Bill

HOUSE BILL 1770

By: Representatives Hardwick, D. Creekmore, Roebuck, Wood, *Medley*  
By: Senators J. Bookout, Wilkinson

## For An Act To Be Entitled

AN ACT TO PROVIDE INSTANT RUNOFF VOTING FOR  
ACTIVE DUTY MILITARY PERSONNEL STATIONED  
OVERSEAS; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO PROVIDE INSTANT RUNOFF VOTING  
FOR ACTIVE DUTY MILITARY PERSONNEL  
STATIONED OVERSEAS.

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

SECTION 1. Arkansas Code § 7-5-406, concerning absentee voting by  
members of the military and citizens residing outside the United States, is  
amended to add an additional subsection to read as follows:

(c)(1) For the qualified electors in the categories named in  
subsection (a) of this section who are active duty military personnel  
stationed overseas, the county board of election commissioners shall prepare  
a special absentee ballot for each preferential primary and general election  
to be sent to the voter in addition to the regular absentee ballot.

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

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

(C)(i) To indicate his or her order of preference for each



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

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

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

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

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

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

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

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

26 (4) A special runoff ballot received with the preferential  
27 primary absentee ballot shall be counted in the general primary election, and  
28 a special runoff ballot received with the general election absentee ballot  
29 shall be counted in the general runoff election.

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

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34 */s/ Hardwick*  
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