

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

SENATE BILL 397

4
5 By: Senator Madison
6 By: Representatives Edwards, Pritchard, L. Smith

For An Act To Be Entitled

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10 AN ACT TO AMEND ARKANSAS LAWS CONCERNING THE
11 CERTIFICATION OF ELECTIONS; AND FOR OTHER
12 PURPOSES.

Subtitle

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15 AN ACT TO AMEND ARKANSAS LAWS CONCERNING
16 THE CERTIFICATION OF ELECTIONS.

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

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21 SECTION 1. Arkansas Code § 7-5-701 is amended to read as follows:

22 7-5-701. Declaration of results - Certification, delivery, and custody
23 of returns.

24 (a)(1) No earlier than forty-eight (48) hours after the election and
25 no later than the ~~tenth~~ fifteenth calendar day after the election, the county
26 board of election commissioners, from the certificates and ballots received
27 from the several precincts, shall proceed to ascertain, declare, and certify
28 the result of the election to the Secretary of State.

29 (2)(A) The county board shall declare preliminary and unofficial
30 results of the election, including a statement of the number of outstanding
31 absentee ballots of overseas voters, immediately after the count of the vote
32 is complete and report the preliminary and unofficial results to the county
33 clerk, who shall immediately transmit the results to the Secretary of State
34 by the Internet website interface provided by the Secretary of State.

35 (B) If it is not possible for the clerk to transmit the
36 results via the Internet website interface, then the clerk may transmit the



1 results by facsimile transmission.

2 (3) Within fourteen (14) calendar days after the day of the
 3 election, the county board shall deliver a certificate of election to the
 4 person having the highest numbers of legal votes for any county office.

5 (b) The county board shall also file in the office of the clerk of the
 6 county court a certificate setting forth in detail the result of the
 7 election.

8 (c)(1)(A) No earlier than forty-eight (48) hours after the election
 9 and no later than the ~~tenth~~ fifteenth calendar day after the election, the
 10 county board shall deposit certified copies of the abstracts of the returns
 11 of the election for members of Congress and for all executive, legislative,
 12 and judicial officers in the nearest post office on the most direct route to
 13 the seat of government and directed to the Secretary of State.

14 (B) The county board shall not receive compensation for
 15 election duties after the election until the election results have been
 16 certified and delivered to the Secretary of State.

17 (d)(1) It shall at the same time enclose in a separate envelope and
 18 direct to the Speaker of the House of Representatives, in care of the
 19 Secretary of State, at the seat of government, a certified copy of the
 20 abstract of votes given for Governor, Lieutenant Governor, Secretary of
 21 State, Treasurer of State, Auditor of State, and Attorney General.

22 (2) It is made the duty of the Secretary of State to safely keep
 23 the returns addressed to the Speaker of the House of Representatives until
 24 they shall be required for the purpose of ascertaining and declaring the
 25 result of the election as prescribed in Arkansas Constitution, Article 6, §
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