

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/7/07

A Bill

HOUSE BILL 1380

5 *By: Representatives Rosenbaum, Kidd, Garner, George, Harris, Hoyt, D. Johnson, Ragland, Reynolds,*
6 *Wood, Hall, L. Evans*

7 By: Senators Faris, J. Taylor
8
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For An Act To Be Entitled

11 AN ACT TO AMEND PROVISIONS OF ARKANSAS ELECTION
12 LAW CONCERNING EARLY VOTING; AND FOR OTHER
13 PURPOSES.
14

Subtitle

16 AN ACT TO AMEND PROVISIONS OF ARKANSAS
17 ELECTION LAW CONCERNING EARLY VOTING.
18
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 7-5-403(a)(2)(A)(i), concerning
23 applications for absentee ballots, is amended to read as follows:

24 (i) In person by the voter at the office of the
25 county clerk of the county of residence of the voter no later than the time
26 the county clerk's office regularly closes on the last day of early voting
27 before election day;
28

29 SECTION 2. Arkansas Code § 7-5-418 is amended to read as follows:

30 7-5-418. Early voting.

31 (a)(1)(A) Except as provided in subdivision (a)(1)(B) of this section,
32 early voting shall be available to any qualified elector who applies to the
33 county clerk's designated early voting location, beginning fifteen (15) days
34 before a preferential primary or general election between the hours of 8:00
35 a.m. and 6:00 p.m. Monday through Friday and 10:00 a.m. and 4:00 p.m.
36 Saturday and ending at ~~5:00 p.m.~~ 4:00 p.m. on the ~~Monday~~ Saturday before the



1 election.

2 (B) Early voting shall not be available on:

3 (i) Sundays; or

4 (ii) state State or county holidays.

5 (2) However, on all other elections, including, but not limited
6 to, general primary and general runoff elections, early voting shall be
7 available to any qualified elector who applies to the county clerk during
8 regular office hours, beginning fifteen (15) days before an election and
9 ending on the fourth day before the election day at the time the county
10 clerk's office regularly closes.

11 (b)(1)(A) The county board of election commissioners may decide to
12 hold early voting at additional polling sites outside the offices of the
13 county clerk and to include the additional voting locations ~~for a maximum of~~
14 ~~fifteen (15) days~~ on any of the days and times provided for in subsection (a)
15 of this section, if it so chooses.

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

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

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

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

27 (B)(i) If the county board decides to hold early voting at
28 additional polling sites outside the office of the county clerk, the county
29 clerk may choose not to hold early voting within the office of the county
30 clerk. The county clerk shall notify the county board within ten (10) days of
31 the receipt of notice from the county board regarding early voting at
32 additional polling sites.

33 (ii) If the county clerk decides not to hold early
34 voting within the office of the county clerk as provided in subdivision
35 (b)(3)(B)(i) of this section, the county board shall hold early voting ~~shall~~
36 ~~be held~~ at one (1) or more conveniently located polling sites on the days and

1 times provided in subsection (a) of this section.

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

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

9 (6) All voted ballots and unvoted ballots and all related
10 election materials at each additional early voting polling site shall be
11 stored in a secure location in the county courthouse or in a secure location
12 as determined by the county board of election commissioners immediately after
13 the close of the additional polling sites each day that early voting is
14 conducted there.

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

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

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

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

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

27 (d) If the voter is not listed in the county voter registration record
28 files and the county clerk is unable to verify the voter's registration and
29 if the voter contends that he or she is eligible to vote, then the voter may
30 vote a provisional ballot which shall be counted only upon verification of
31 the voter's registration status.

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

35 (f) Upon casting his or her ballot, the voter shall then deposit the
36 ballot in the appropriate box in the same manner as for votes cast on the day

1 of the election.

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

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

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8 /s/ Rosenbaum, et al

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