

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

# A Bill

HOUSE BILL 2214

5 By: Representative Harrelson  
6  
7

## For An Act To Be Entitled

9 AN ACT AMENDING PROVISIONS OF ARKANSAS LAW  
10 PERTAINING TO THE PRESIDENTIAL PREFERENTIAL  
11 PRIMARY ELECTION; AND FOR OTHER PURPOSES.  
12

## Subtitle

14 AN ACT AMENDNING PROVISIONS OF ARKANSAS  
15 LAW PERTAINING TO THE PRESIDENTIAL  
16 PREFERENTIAL PRIMARY ELECTION.  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 7-5-418(a)(2), concerning early voting for  
22 certain elections, is amended to read as follows:

23 (2) However, on all other elections, including, but not limited  
24 to, presidential preferential primary, general primary, and general runoff  
25 elections, early voting shall be available to any qualified elector who  
26 applies to the county clerk during regular office hours, beginning fifteen  
27 (15) days before an election and ending on the day before the election day at  
28 the time the county clerk's office regularly closes.  
29

30 SECTION 2. Arkansas Code § 7-7-201(b), concerning the conducting of  
31 primary elections, is amended to read as follows:

32 ~~(b)(1) The state board shall have the primary responsibility for~~  
33 ~~conducting political party primaries in this state.~~

34 (2)(1) Within each county, the political party primary elections  
35 shall be conducted by the county board of election commissioners ~~under the~~  
36 ~~direction of the state board.~~



1           ~~(3)~~(2) The state board shall have authority to adopt rules for  
 2 the administration of primary elections consistent with the provisions of  
 3 this chapter.

4           ~~(4)~~(3) The state board may withhold reimbursement of funds to  
 5 the counties for state-funded elections for failure to comply with the rules  
 6 developed by the state board for the administration of primary elections or  
 7 applicable state election laws until all requirements are met to the  
 8 satisfaction of the state board.

9           ~~(5)~~(4) Each political party shall be responsible for determining  
 10 the qualifications of candidates seeking nomination by the political party,  
 11 provide necessary applications for candidacy, accept and process the  
 12 applications, and determine the order of its ballot.

13  
 14           SECTION 3. Arkansas Code § 7-8-101 is amended to read as follows:

15           7-8-101. Primaries - General law governs.

16           (a) All primaries, preferential and general, for the selection of  
 17 nominees for federal offices, including those of the United States Senators  
 18 and Representatives, shall be held on the same date and in the same manner as  
 19 the preferential and general primaries for state, district, county, and  
 20 township offices and shall be governed by the same procedure prescribed by  
 21 this act.

22           (b) Unless otherwise provided by Arkansas law, the presidential  
 23 preferential primary election shall be on the date established by the General  
 24 Assembly and shall be governed in accordance with the laws for primary  
 25 elections in this state.

26  
 27           SECTION 4. Arkansas Code § 7-8-201(a), concerning preferential  
 28 elections, is amended to read as follows:

29           (a)(1) Each political party in the state desiring to select delegates  
 30 to attend a quadrennial national nominating convention of the party to select  
 31 a nominee for the office of President of the United States shall hold a  
 32 presidential preferential primary election in the state, and the delegates to  
 33 the national party convention shall be apportioned to the presidential  
 34 candidates whose names were on the ballot at the presidential preferential  
 35 primary or to "uncommitted" in the proportion that the votes cast for each  
 36 candidate or for "uncommitted" bear to the total votes cast at the election,

1 rounded to the closest whole number.

2 (2) Presidential preferential primary elections shall be held on  
 3 the first Tuesday in February of the year in which the convention is held.

4 (3)(A) Any person desiring to have his or her name printed on  
 5 the presidential preferential primary ballot as a candidate for his or her  
 6 party's nomination shall file a party certificate with the Secretary of State  
 7 during regular office hours in the period beginning at 12:00 noon on the  
 8 first Monday in November and ending at 12:00 noon on the fourteenth day  
 9 thereafter before the presidential preferential primary election.

10 (B) Each political party shall:

11 (i) Be responsible for determining the  
 12 qualifications of candidates seeking to appear on the presidential  
 13 preferential primary ballot of each political party;

14 (ii) Provide necessary applications for candidacy;

15 (iii) Accept and process the applications; and

16 (iv) Determine the order that candidates shall  
 17 appear on the ballot.

18 (4) The cost of the presidential preferential primary election  
 19 shall be borne by the State of Arkansas and shall be paid from an  
 20 appropriation made to the State Board of Election Commissioners for that  
 21 purpose.

22 ~~(5)(A) The state board shall have the primary responsibility for~~  
 23 ~~conducting presidential preferential primary elections.~~

24 ~~(B)(A)~~ Within each county, the presidential preferential  
 25 primary election shall be conducted by the county board of election  
 26 commissioners ~~under the direction of the state board.~~

27 ~~(C)(B)~~ The state board shall have authority to adopt rules  
 28 for the administration of presidential preferential primary elections  
 29 consistent with the election laws of this state.

30 ~~(D)(C)~~ The state board may withhold reimbursement of funds  
 31 to counties for state-funded presidential preferential primary elections for  
 32 failure to comply with the rules developed by the state board for the  
 33 administration of primary elections or applicable state election laws until  
 34 all requirements are met to the satisfaction of the state board.

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