

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

SENATE BILL 309

5 By: Senator Faris  
6  
7

## For An Act To Be Entitled

8 AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW  
9 CONCERNING PAPER BALLOTS; AND FOR OTHER PURPOSES.  
10  
11

## Subtitle

12 AN ACT TO AMEND PROVISIONS OF ARKANSAS  
13 LAW CONCERNING PAPER BALLOTS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. Arkansas Code § 7-5-208 is amended to read as follows:  
20 7-5-208. Paper ballots - Form. ~~{Effective January 1, 2006.}~~

21 (a) All election ballots provided by the county board of election  
22 commissioners of any county in this state for any election shall be alike and  
23 shall be printed in plain type.

24 (b) Each ballot shall be printed on paper with a perforated portion  
25 capable of being detached for use as the ballot stub.

26 (c) As ballots are printed, the portion that shall be used as the  
27 ballot stub shall be numbered consecutively from one (1) to the number which  
28 is the total amount of ballots provided for the election.

29 ~~(d) On the back or outside of the ballot shall be printed the words~~  
30 ~~"OFFICIAL BALLOT for \_\_\_\_\_," followed by the appropriate designation for~~  
31 ~~the particular election and its date.~~

32 ~~(e)~~(d)(1) The heading on the front or inner side of each ballot shall  
33 be: "OFFICIAL BALLOT \_\_\_\_\_ ELECTION \_\_\_\_\_ , 20 \_\_\_\_\_  
34

35 Vote by placing an appropriate mark opposite the person for whom you wish  
36 to vote."



1 (2) If the ballot contains an initiated or referred amendment,  
 2 act, or measure, the heading shall also contain these words - "Vote on  
 3 amendments, acts, and measures by placing an appropriate mark ~~above~~ below the  
 4 amendment (or act or measure) either FOR or AGAINST."

5 ~~(f)~~(e) Beneath the heading on each paper ballot ~~that will be counted~~  
 6 ~~by hand or on an electronic vote tabulating device at the courthouse or other~~  
 7 ~~central location~~ there shall be printed instructions that inform the voter:

8 (1) Of the effect of casting multiple votes for an office; and

9 (2) How to correct the ballot before it is cast and counted,  
 10 including, but not limited to, instructions on how to correct an error  
 11 through the issuance of a replacement ballot if the voter was otherwise  
 12 unable to change the ballot or correct an error.

13 ~~(g)~~(f)(1) Every ballot shall contain the name of each candidate who  
 14 has been nominated or has qualified in accordance with law for each office.  
 15 The names of the candidates shall be listed in a perpendicular column under  
 16 the name of each office to be filled.

17 (2)(A) However, the names of all unopposed candidates for all  
 18 offices, including the names of all unopposed write-in candidates, for which  
 19 ~~no notice has been filed within the time prescribed in § 7-5-205,~~ except the  
 20 names of all unopposed candidates for the office of mayor or circuit clerk,  
 21 shall be grouped together on the ballot indicating the office and the name of  
 22 the unopposed candidate ~~for each office in a single column.~~ At the top of the  
 23 list of the names of all unopposed candidates, there shall appear on the  
 24 ballot the words "Unopposed Candidates", and ~~to the right thereof~~ adjacent  
 25 thereto there shall be a ~~square~~ place in which the voter may cast a vote for  
 26 all the candidates by placing an appropriate mark, ~~so that the votes may be~~  
 27 ~~separately counted and tabulated as required in § 7-5-205.~~

28 (B) The names of unopposed candidates for the office of  
 29 mayor or circuit clerk shall be separately printed from any grouping of  
 30 unopposed candidates, with a place in which the voter may cast a vote for  
 31 each unopposed candidate for the office of mayor or circuit clerk by placing  
 32 an appropriate mark, so that the votes may be separately counted and  
 33 tabulated as required in § 7-5-315.

34 (3) In all elections except primary elections and municipal  
 35 elections, at the bottom of each list of names for each position or office  
 36 appearing on the ballot, there shall be a blank line ~~or lines~~ for a possible

1 write-in ~~votes~~ vote for that position or office. However, the blank line  
 2 shall not appear on the ballot with respect to those offices and candidates  
 3 for positions in which no person has qualified as a write-in candidate by  
 4 filing his or her ~~intentions~~ notice of intention to be a write-in candidate  
 5 within the time prescribed in § 7-5-205.

6 (4) The order in which the names of the respective candidates  
 7 shall appear on the ballots shall be determined by lot at a public meeting of  
 8 the county board not less than thirty-five (35) days prior to the general  
 9 elections. It is expressly understood and provided that the selection on the  
 10 order of the ballot in all other elections shall be and remain as provided by  
 11 law. For runoff elections, the ballot order for eligible candidates shall  
 12 stay the same as for the previous election.

13 (5) Beside or adjacent to the name of each candidate in the  
 14 general election, except for the nonpartisan judicial general election, shall  
 15 be his or her party designation or the name "INDEPENDENT" if he or she  
 16 represents no officially recognized party.

17 ~~(h)~~(g) Adjacent to the name of each candidate and on the same line  
 18 there shall be a ~~square, a circle, or other method of~~ place for marking a  
 19 vote for the candidate. ~~Above~~ Below each act, amendment, or measure to be  
 20 voted on, there shall be the words "FOR" and "AGAINST" situated one above the  
 21 other with a ~~square, a circle, or other method of~~ place for marking a vote  
 22 for the act, amendment, or measure adjacent to each word and on the same  
 23 line. With respect to all offices and the candidates for those offices who  
 24 are unopposed and have been grouped together in the manner provided in  
 25 subsection ~~(g)~~ (f) of this section, the names of all those candidates and  
 26 their respective offices shall appear under the heading of "Unopposed  
 27 Candidates". The elector shall vote on each and all such candidates by  
 28 casting a single vote in a the square, a circle, or other method of place for  
 29 marking a vote ~~for the act, amendment, or measure~~ adjacent to the heading  
 30 "Unopposed Candidates" as provided in subdivision (g)(2) of this section.

31 ~~(i)~~(h) Opposite the designation of each office, there shall appear  
 32 these words: "VOTE FOR \_\_\_\_\_ ". The number of persons required to fill the  
 33 vacancy in office shall be placed in the blank space. ~~as+~~

34  
 35 ~~"Justice of the Peace VOTE FOR TEN (10)."~~  
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