

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1737

5 By: Representative Collins
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING ELECTION PRECINCTS
9 AND BALLOT REPORTING; TO DEFINE "PRECINCT"; TO LIMIT
10 PRECINCT SIZE TO THREE THOUSAND (3,000) REGISTERED
11 VOTERS; AND FOR OTHER PURPOSES.
12
13

Subtitle

14
15 TO AMEND THE LAW CONCERNING ELECTION
16 PRECINCTS AND BALLOT REPORTING; TO DEFINE
17 "PRECINCT"; TO LIMIT PRECINCT SIZE TO
18 THREE THOUSAND (3,000) REGISTERED VOTERS.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 7-1-101, concerning definitions under
24 election law, is amended to add an additional subdivision to read as follows:

25 (35) "Precinct" means a geographical area determined by a county
26 board of election commissioners in which the registered voters from that
27 geographical area may vote.
28

29 SECTION 2. Arkansas Code § 7-5-101(a) through (c), concerning precinct
30 boundaries and polling sites, is amended to read as follows:

31 (a)(1) The county board of election commissioners shall:

32 (A) Establish election precincts; and

33 (B)(i) Designate a polling site for each precinct.

34 (ii) A polling site may serve two (2) or more
35 precincts, including parts of precincts.

36 (2) Except as provided in § 6-14-106, the designation of polling



1 sites shall be by a unanimous vote of the members of the county board
2 present.

3 (b)(1) The county board by order may alter the boundaries of existing
4 election precincts and establish new ones.

5 (2) A precinct shall not be altered and a new precinct shall not
6 be created less than thirty (30) days before an election, except in the event
7 of an emergency as determined by the county board.

8 (3)(A) A precinct shall not contain more than three thousand
9 (3,000) registered voters.

10 (B) If more than three thousand (3,000) registered voters
11 cast a ballot in a precinct, the county board of election commissioners shall
12 redistrict the precincts at least one hundred twenty (120) days before the
13 next election in that precinct.

14 ~~(3)(A)~~ (4)(A) An order to alter the boundaries of any precinct
15 or establish any new one shall not be effective until it has been filed with
16 the county clerk.

17 (B) The order shall contain a:

18 (i) ~~Written~~ A written description of the boundaries
19 of the precinct; and

20 (ii) ~~Map~~ A printed map of the boundaries of the
21 precincts altered or established; and

22 (iii) An electronic copy of the map of the
23 boundaries altered or established that is compatible with geographic
24 information system mapping.

25 (c)(1) Within thirty (30) days after the boundaries of an election
26 precinct are altered or a new election precinct is established, the county
27 clerk shall submit ~~five (5) copies of the changes in the form of a map and~~
28 ~~written descriptions~~ written, printed, and electronic copies of the map and
29 boundaries under subdivision (b)(3) of this section to the Secretary of
30 State.

31 (2) Upon receipt of the changes, the Secretary of State
32 immediately shall forward a copy to the:

33 (A) Office of the Attorney General;

34 (B) Census State Data Center; and

35 (C) Cartography Section of the Arkansas State Highway and
36 Transportation Department.

1 (3) The Secretary of State shall

2 (A) Designate an alphanumeric description to each precinct
 3 in the state;

4 (B) Create a map of the State of Arkansas that is divided
 5 by precinct; and

6 (C) Display the map with the alphanumeric precinct
 7 designations on the Secretary of State's Internet website.

8
 9 SECTION 3. Arkansas Code § 7-5-416(a), concerning counting absentee
 10 ballots, is amended to read as follows:

11 (a)(1) The election officials for absentee ballots shall meet in the
 12 courthouse in a place designated by the county board of election
 13 commissioners on election day for the purpose of processing absentee ballots.

14 (2) The county board shall give public notice of the time and
 15 location of the opening, processing, canvassing, and counting of absentee
 16 ballots and early voting ballots as provided in § 7-5-202.

17 (3) The county clerk shall forward the absentee ballot
 18 applications sorted ~~alphabetically or~~ by precinct to the election officials
 19 for absentee ballots.

20 (4) The counting of absentee ballots shall be open to the
 21 public, and candidates and political parties may be present in person or by a
 22 representative designated in writing pursuant to § 7-5-312 during the
 23 opening, processing, canvassing, and counting of the absentee ballots as
 24 provided in this subchapter.

25 (5)(A) Absentee ~~or~~ and early votes ~~may~~ shall be counted prior to
 26 the closing of the polls on election day.

27 (B)(i) No later than thirty (30) minutes after the polls
 28 close on election day, the county board of election commissioners shall
 29 report by precinct the initial count of early votes and absentee ballot votes
 30 to the Secretary of State.

31 (ii) The election results of a precinct shall not be
 32 made public before the polls of every precinct in the county have closed.

33
 34 SECTION 4. Arkansas Code § 7-5-416(d), concerning counting absentee
 35 ballots, is amended to read as follows:

36 (d) It is the intent of this section to ~~permit~~ require the election

1 officials for absentee ballots to meet and process, canvass, and count
2 absentee ballots according to this section prior to the closing of the polls
3 on election day.
4

5 SECTION 5. Arkansas Code § 7-5-701 and (a) and (b), concerning the
6 declaration, certification, delivery, and custody of election returns, is
7 amended to read as follows:

8 (a)(1) No earlier than forty-eight (48) hours after the election and
9 no later than the fifteenth calendar day after the election, the county board
10 of election commissioners, from the certificates and ballots received from
11 the several precincts, shall proceed to ascertain, declare, and certify the
12 result of the election in each precinct to the Secretary of State.

13 (2)(A) The county board shall declare preliminary and unofficial
14 results of the election in each precinct, including a statement of the number
15 of outstanding absentee ballots of overseas voters, immediately after the
16 count of the vote is complete and report the preliminary and unofficial
17 results to the county clerk, who shall immediately transmit the results to
18 the Secretary of State by the Internet website interface provided by the
19 Secretary of State.

20 (B) If it is not possible for the clerk to transmit the
21 results via the Internet website interface, then the clerk may transmit the
22 results by facsimile transmission.

23 (3) Within nineteen (19) calendar days after any general,
24 special, or school election, the county board shall deliver a certificate of
25 election to the person having the highest number of legal votes for any
26 county office.

27 (b) The county board shall also file in the office of the clerk of the
28 county court a certificate setting forth in detail the result of the election
29 in each precinct.
30
31
32
33
34
35
36