

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

*As Engrossed: H3/25/13*

# 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.  
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## Subtitle

14 TO AMEND THE LAW CONCERNING ELECTION  
15 PRECINCTS AND BALLOT REPORTING; TO DEFINE  
16 "PRECINCT"; TO LIMIT PRECINCT SIZE TO  
17 THREE THOUSAND (3,000) REGISTERED VOTERS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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 the boundaries of  
26 which are determined by a county board of election commissioners in order to  
27 facilitate voting by the registered voters from that geographical area.  
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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)~~ sixty (60) days before an election, except  
7 in the event of an emergency as determined by unanimous vote of the county  
8 board of election commissioners.

9 (3)(A) Except as provided in subdivision (b)(3)(B) of this  
10 section, if more than three thousand (3,000) voters are registered in a  
11 precinct, the county board of election commissioners shall redistrict the  
12 precinct at least one hundred twenty (120) days before the election.

13 (B) If the number of registered voters in the precinct  
14 exceeds three thousand (3,000) registered voters during or after the one  
15 hundred twenty (120) days before an election, the county board of election  
16 commissioners shall redistrict the precinct at least one hundred twenty (120)  
17 days before the next election.

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

21 (B) The order shall contain a:

22 (i) ~~Written~~ A written description of the boundaries  
23 of the precinct; and

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

26 (iii) A digital map detailing the precinct  
27 boundaries altered or established in a format prescribed by the Arkansas  
28 Geographic Information Office.

29 (c)(1) Within thirty (30) days after the boundaries of an election  
30 precinct are altered or a new election precinct is established, the county  
31 clerk shall submit ~~five (5) copies of the changes in the form of a map and~~  
32 ~~written descriptions~~ written, printed, and digital copies of the map and  
33 boundaries required under subdivision (b)(3) of this section to the:

34 (A) The Secretary of State; and

35 (B) The Arkansas Geographical Information Office.

36 (2) Upon receipt of the changes, the Secretary of State

1 immediately shall forward a copy to the:

2 (A) Office of the Attorney General;

3 (B) Census State Data Center; ~~and~~

4 (C) Cartography Section of the Arkansas State Highway and  
5 *Transportation Department; and*

6 (D) The Arkansas Geographic Information Office.

7 (3) The Secretary of State may:

8 (A) Designate each precinct in the state with a unique  
9 alphanumeric description that clearly references:

10 (i) The precinct designation assigned by the county  
11 board of election commissioners; and

12 (ii) The county in which the precinct exists;

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

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

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

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

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

26 (3) The county clerk shall forward the absentee ballot  
27 applications sorted *alphabetically or* by precinct to the election officials  
28 for absentee ballots.

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

34 (5)(A) Absentee ~~or~~ and early votes ~~may~~ shall be counted prior to  
35 the closing of the polls on election day as provided under this section.

36 (B)(i) No later than thirty (30) minutes after the polls

1 close on election day, the county board of election commissioners shall  
2 report by precinct the initial count of early votes and absentee ballot votes  
3 to the Secretary of State as provided under § 7-5-701.

4 (ii) No election results of the precinct shall be  
5 printed, posted, or released, until after the polls close on election day.

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

9 (d) It is the intent of this section to ~~permit~~ require the election  
10 officials for absentee ballots to meet and process, canvass, and count  
11 absentee ballots according to this section prior to the closing of the polls  
12 on election day.

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

17 (b) The county board shall also file in the office of the clerk of the  
18 county court a certificate setting forth in detail the result of the election  
19 in each precinct.

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22 /s/Collins  
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