1	State of Arkansas	As Engrossed: S3/7/23	
2	94th General Assembly	A Bill	
3	Regular Session, 2023	SENATE BILL 253	
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5	By: Senators Crowell, K. Hammer, Dees, M. McKee, J. Petty, Stone		
6	By: Representatives Pilkington, Wing, Achor, Andrews, Barker, Beaty Jr., Beck, Bentley, M. Berry,		
7	Breaux, Brooks, K. Brown, M. Brown, Burkes, Joey Carr, C. Cooper, Cozart, Evans, C. Fite, L. Fite,		
8	Fortner, Furman, Gazaway, Gonzales, Gramlich, Haak, Hawk, Hollowell, Jean, Ladyman, Long,		
9	Lundstrum, Lynch, McAlindon, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S.		
10	Meeks, Miller, Milligan, K. Moore, Painter, Pearce, Puryear, R. Scott Richardson, Richmond, Rose, Rye,		
11	Schulz, Steimel, Tosh, Underwood, Vaught, Womack, Wooldridge, Wooten		
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13	For An Act To Be Entitled		
14	AN ACT TO) AMEND THE LAW CONCERNING DAMAGED BALLOTS;	
15	TO AMEND THE LAW CONCERNING ELECTION PROCEDURES; AND		
16	FOR OTHER PURPOSES.		
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18			
19		Subtitle	
20	TO A	AMEND THE LAW CONCERNING DAMAGED	
21	BAL	LOTS; AND TO AMEND THE LAW CONCERNING	
22	ELE	CTION PROCEDURES.	
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25	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
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27	SECTION 1. Ark	ansas Code § 7-5-615(d) and (e), concerning the	
28	tabulations of votes, defective ballots, and the certification of returns,		
29	are amended to read as follows:		
30	(d) <u>(1)</u> If any	ballot is damaged or defective so that it cannot	
31	properly be counted by the electronic vote tabulating device, a true		
32	duplicate copy shall be made of the damaged ballot in the presence of		
33	tabulation election officials if the votes are tabulated at a central		
34	location. The duplicate shall be substituted for the damaged ballot. All		
35	duplicate ballots shall be clearly labeled "duplicate" and shall be counted		
36	in lieu of the damaged or defective ballot.		



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2 election official, an election official shall: 3 (A) Reproduce the selections of the voter on a second 4 ballot that is the same ballot style as the ballot cast by the voter; 5 (B) Stamp or write the word "duplicate" on the duplicated 6 ballot; 7 (C) Stamp or write the word "original" on the original 8 damaged or defective ballot; 9 (D) Label both the original damaged or defective ballot 10 and the duplicate ballot with the same unique serial number; 11 (E) Substitute the duplicated ballot for the original 12 damaged or defective ballot; 13 (F) Count the duplicated ballots in the same manner as other ballots in that election; and its in that election; and 15 (G) Secure and separately store the original damaged or 16 defective ballots in the same manner as other ballots in that election. 17 (3) The duplication of a damaged or defective ballot counted at the same time and location that ballots with no defects are counted. 19 (b) The duplicated by election officials or added to the precinct's count manually on the night of the election. 12 (e) The return printed by the electronic vote tabulating device, to which has-been-added the return of write-in,	1	(2) When duplicating a ballot, and in the presence of another	
4 ballot that is the same ballot style as the ballot cast by the voter; 5 (B) Stamp or write the word "duplicate" on the duplicated 6 ballot; 7 (C) Stamp or write the word "original" on the original 8 damaged or defective ballot; 9 (D) Label both the original damaged or defective ballot and the duplicate ballot with the same unique serial number; (E) Substitute the duplicated ballot for the original 10 (E) Substitute the duplicated ballots in the same manner as 11 (E) Substitute the duplicated ballots in the same manner as 12 other ballots in that election; and 13 (F) Count the duplicated by an election official at 14 the central counting facility shall be conducted by an election official at 15 (a) The duplication of a damaged or defective ballot cast at a 16 polling site shall be delivered securely to the county board of election 17 (a) The duplicated by election officials or added to the 18 precinct's count manually on the night of the election. 12 (e) The return printed by the electroni cyote tabulating device, to 16 which has been added the return of write-in, early, and absentee votes have been added, shall co	2	election official, an election official shall:	
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8 damaged or defective ballot; 9 (D) Label both the original damaged or defective ballot 10 and the duplicate ballot with the same unique serial number; 11 (E) Substitute the duplicated ballot for the original 12 damaged or defective ballot; 13 (F) Count the duplicated ballots in the same manner as other ballots in that election; and (G) Secure and separately store the original damaged or 16 defective ballots in the same manner as other ballots in that election. 17 (3) The duplication of a damaged or defective ballot counted at 18 the central counting facility shall be conducted by an election official at 19 the same time and location that ballots with no defects are counted. 10 (4) The duplication of a damaged or defective ballot cast at a polling site shall be delivered securely to the county board of election 12 commissioners to be duplicated by election officials or added to the precinct's count manually on the night of the election. 14 the abeen added the return of write-in, early, and absentee votes have 16 been added, shall constitute the official return of each polling site. All 17 returns shall be certified by the election officials in charge of the <	6	ballot;	
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