

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1404

By: Representatives Haak, Wing, Achor, Andrews, Barker, Beaty Jr., Beck, Bentley, M. Berry, Breaux, Brooks, K. Brown, M. Brown, Burkes, Joey Carr, C. Cooper, Cozart, Evans, C. Fite, L. Fite, Fortner, Furman, Gazaway, Gonzales, Gramlich, Hawk, Hollowell, Jean, Ladyman, Long, Lundstrum, Lynch, McAlindon, McClure, McCollum, M. McElroy, McGrew, B. McKenzie, McNair, S. Meeks, Miller, Milligan, K. Moore, Painter, Pearce, Pilkington, Puryear, R. Scott Richardson, Richmond, Rose, Rye, Schulz, Steimel, Tosh, Underwood, Vaught, Womack, Wooldridge, Wooten

By: Senators Dees, K. Hammer, M. McKee, J. Petty, Stone

## For An Act To Be Entitled

AN ACT TO AMEND ELECTION PROCEDURES CONCERNING BALLOT  
TABULATORS; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND ELECTION PROCEDURES CONCERNING  
BALLOT TABULATORS.

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

SECTION 1. Arkansas Code § 7-5-418(b)(5), concerning early voting procedures, is amended to read as follows:

(5)(A) All voted ballots and unvoted ballots and all related election materials at each additional early voting polling site shall be stored in a secure location in the county courthouse or in a secure location as determined by the county board of election commissioners immediately after the close of the additional polling sites each day that early voting is conducted there.

(B) If the county board of election commissioners determines that the equipment and materials necessary to operate a polling site will be transferred from one (1) polling site that is opened for a portion of the early voting period to another polling site that is



subsequently open during the early voting period, the following provisions shall apply to those polling sites:

(i) Ballots cast using a tabulator shall be:

(a) Secured at the central location used to secure all other ballots before or contemporaneously with the transportation of the tabulator between early voting locations; and

(b) Removed to the storage location in a container designed so that the cast ballots may be secured with a number seal without any election official being able to observe the contents of the ballots; and

(ii) Ballots cast using a marking device and a ballot box shall be:

(a) Deposited in a separate ballot box secured with a numbered seal for each polling location that is utilized; and

(b) Secured at the central location used to secure all other ballots before or contemporaneously with the transportation of the other voting equipment between early voting locations.

**APPROVED: 3/9/23**