

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 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

HOUSE BILL 2485

5 By: Representative Hardwick  
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7

## For An Act To Be Entitled

9 AN ACT TO PROVIDE INSTANT RUNOFF VOTING FOR  
10 MILITARY AND OVERSEAS VOTERS; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

14 AN ACT TO PROVIDE INSTANT RUNOFF VOTING  
15 FOR MILITARY AND OVERSEAS VOTERS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 7-5-406, concerning absentee voting by  
21 members of the military and citizens residing outside the United States, is  
22 amended to add additional subsection to read as follows:

23 (c)(1) For the qualified electors in the categories named in  
24 subsection (a) of this section, the county board of election commissioners  
25 shall prepare and mail a special absentee ballot for each preferential  
26 primary and general election to be sent to the voter in addition to the  
27 regular absentee ballot.

28 (2)(A) The special ballot shall contain a list of all offices  
29 being contested and the candidates qualifying for the election in each  
30 office.

31 (B) The special ballot shall permit the elector to vote in  
32 the general primary election or in a general runoff election by indicating  
33 his or her order of preference for each candidate for each office.

34 (C) To indicate his or her order of preference for each  
35 candidate for each office, the voter shall put the number one (1) next to the  
36 name of the candidate who is the voter's first choice, the number two (2) for



1 the voter's second choice, and so forth, so that, in consecutive numerical  
 2 order, a number indicating the voter's preference is written by the voter  
 3 next to the candidate's name on the ballot.

4 (D) However, the voter shall not be required to indicate  
 5 his or her preference for more than one (1) candidate on the ballot if he or  
 6 she chooses.

7 (3) The special absentee ballot shall be marked as a  
 8 "provisional ballot".

9 (4) Instructions shall be sent with the special absentee ballot  
 10 to the qualified voter explaining the instant runoff voting process.

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 12 SECTION 2. Arkansas Code § 7-5-416, concerning counting of absentee  
 13 ballots, is amended to add an additional subsection to read as follows:

14 (f)(1) Absentee ballots marked as "provisional ballots" received from  
 15 a qualified voter that meets one of the categories in § 7-5-406(a), shall be  
 16 opened for general primary elections and general runoff elections according  
 17 to the procedures described in subsection (b) of this section.

18 (2) However, in counting the provisional ballot, one (1) of the  
 19 election officials shall open the envelope containing the provisional ballot  
 20 and read the numbers indicated next to the names of the two (2) candidates in  
 21 the general primary election or in the general runoff election.

22 (3) The candidate with the highest ranking shall receive the  
 23 vote.

24 (4) Provisional ballots received with the preferential primary  
 25 absentee ballot shall be counted in the general primary election and  
 26 provisional ballots received with the general election absentee ballot shall  
 27 be counted in the general runoff election.

28 (5) The Secretary of State shall prepare instructions for  
 29 opening, counting, and canvassing provisional ballots and provide the  
 30 instructions to each county board of election commissioners.

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