

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/25/13 S4/8/13
A Bill

HOUSE BILL 1737

By: Representative Collins
By: Senator J. Woods

For An Act To Be Entitled

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

Subtitle

TO AMEND THE LAW CONCERNING ELECTION PRECINCTS AND BALLOT REPORTING; TO DEFINE "PRECINCT"; TO LIMIT PRECINCT SIZE TO THREE THOUSAND (3,000) REGISTERED VOTERS.

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

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

(35) "Precinct" means a geographical area the boundaries of which are determined by a county board of election commissioners in order to facilitate voting by the registered voters from that geographical area.

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

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

(A) Establish election precincts; and

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

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



(2) Except as provided in § 6-14-106, the designation of polling sites shall be by a unanimous vote of the members of the county board present.

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

(2) A precinct shall not be altered and a new precinct shall not be created less than ~~thirty (30)~~ sixty (60) days before an election, except in the event of an emergency as determined by unanimous vote of the county board of election commissioners.

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

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

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

(B) The order shall contain a:

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

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

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

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

(A) The Secretary of State; and

(B) The Arkansas Geographical Information Office.

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

- (A) Office of the Attorney General;
- (B) Census State Data Center; ~~and~~
- (C) Cartography Section of the Arkansas State Highway and Transportation Department; and

(D) The Arkansas Geographic Information Office.

(3) The Secretary of State may:

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

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

(ii) The county in which the precinct exists;

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

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

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

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

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

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

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

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

(B)(i) No later than thirty (30) minutes after the polls close on election day, the county board of election commissioners shall report by precinct the initial count of early votes and absentee ballot votes to the Secretary of State as provided under § 7-5-701.

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

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

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

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

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

/s/Collins