

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

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 2067

By: Representative Lea

For An Act To Be Entitled

AN ACT TO REVISE THE PROCEDURES FOR COUNTING AND REPORTING VOTING RESULTS BY THE COUNTY BOARD OF ELECTION COMMISSIONERS TO THE SECRETARY OF STATE; AND FOR OTHER PURPOSES.

Subtitle

TO REVISE THE PROCEDURES FOR COUNTING AND REPORTING VOTING RESULTS BY THE COUNTY BOARD OF ELECTION COMMISSIONERS TO THE SECRETARY OF STATE.

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

SECTION 1. Arkansas Code § 7-5-701(a), concerning declaration of election results, is amended to read as follows:

(a)(1) No earlier than forty-eight (48) hours after the election and no later than the fifteenth calendar day after the election, the county board of election commissioners, from the certificates and ballots received from the several precincts, shall proceed to ascertain, declare, and certify the result of the election to the Secretary of State.

~~(2)(A) The county board shall declare preliminary and unofficial results of the election, including a statement of the number of outstanding absentee ballots of overseas voters, immediately after the count of the vote is complete and report the preliminary and unofficial results to the county clerk, who shall immediately transmit the results to the Secretary of State by the Internet website interface provided by the Secretary of State.~~

~~(B) If it is not possible for the clerk to transmit the~~



~~results via the Internet website interface, then the clerk may transmit the results by facsimile transmission.~~

(2)(A) As results are received and tabulated on election night for all state and federal elections, the county board of election commissioners shall declare preliminary and unofficial results of the election as soon as early voting, absentee, or individual precinct results are tabulated on election night and immediately shall transmit the results by precinct to the Secretary of State through the election night reporting interface provided by the Secretary of State.

(B) The county board of election commissioners may, by agreement with the county clerk, transmit the results to the county clerk who immediately shall transmit the results by precinct to the Secretary of State as described under subdivision (2)(A) of this section.

(C) On election night for all state and federal elections, immediately after the count of the vote is complete, the county board of election commissioners shall:

(i) Declare preliminary and unofficial results of the election, including a statement of the number of outstanding:

(a) Ballots of voters who requested ballots under the Uniformed and Overseas Citizens Absentee Voting Act; and

(b) Provisional ballots; and

(ii) Immediately transmit the results by precinct to the Secretary of State through the election night reporting interface provided by the Secretary of State.

(D) The county board of election commissioners may, by agreement with the county clerk, transmit the results to the county clerk who shall immediately transmit the results by precinct to the Secretary of State as described in subdivision (2)(C) of this section.

(E) The Secretary of State may establish policies and procedures to accomplish the objectives set forth under this section.

(3) Within nineteen (19) calendar days after any general, special, or school election, the county board shall deliver a certificate of election to the person having the highest number of legal votes for any county office.

SECTION 2. Arkansas Code § 7-5-707 is amended to read as follows:

7-5-707. Vote certification.

(a) For all state and federal elections, the county board of election commissioners shall transmit the certified results for each ~~polling place to the county clerk, who shall immediately transmit the results to the Secretary of State through the Internet website interface provided by the Secretary of State~~ precinct to the Secretary of State through the election night reporting interface provided by the Secretary of State.

(b) The county board may, by agreement with the county clerk, transmit the certified results to the county clerk who shall transmit the certified results by precinct to the Secretary of State as described in subsection (a) of this section.

~~(b)~~(c) The Secretary of State may require a county board of election commissioners to submit additional election information as determined by the Secretary of State.