

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

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S3/26/15
A Bill

SENATE BILL 389

By: Senator G. Stubblefield

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS ELECTION LAWS CONCERNING
PRESIDENTIAL PREFERENTIAL PRIMARY ELECTIONS; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS ELECTION LAWS
CONCERNING PRESIDENTIAL PREFERENTIAL
PRIMARY ELECTIONS.

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

SECTION 1. Arkansas Code § 7-5-418 (a)(2), concerning early voting for certain elections, is amended to read as follows:

(2) However, on all other elections, including without limitation the presidential preferential primary, general primary and general runoff elections, early voting shall be available to any qualified elector who applies to the county clerk during regular office hours, beginning seven (7) days before the election and ending on the day before the election day at the time the county clerk's office regularly closes.

SECTION 2. Arkansas Code § 7-8-101, concerning the governing of primary elections, is amended to add an additional subsection to read as follows:

(b) Unless otherwise provided by Arkansas law, the presidential preferential primary election shall be on the date established by the General Assembly and shall be governed in accordance with the laws for primary elections in this state.



SECTION 3. Arkansas Code § 7-8-201 is amended to read as follows:

7-8-201. Preferential elections required – Apportionment of delegates.

(a)(1) Each political party in the state desiring to select delegates to attend a quadrennial national nominating convention of the party to select a nominee for the office of President of the United States shall hold a presidential preferential primary election in the state, and the delegates to the national party convention shall be apportioned to the presidential candidates whose names were on the ballot at the presidential preferential primary or to “uncommitted” in the proportion that the votes cast for each candidate or for “uncommitted” bear to the total votes cast at the election, rounded to the closest whole number.

(2) A presidential preferential primary election shall be held on the first Tuesday in March of the year in which the convention is held.

(3)(A)(i) Any person desiring to have his or her name printed on the presidential preferential primary ballot as a candidate for his or her party’s nomination shall file a party certificate with the Secretary of State during regular office hours in the period beginning at 12:00 noon on the first Monday in November and ending at 12:00 noon on the seventh day thereafter before the presidential preferential primary election.

(ii) The name to be printed on the ballot shall be the name on the party certificate.

(iii) The Secretary of State shall not accept for filing a party certificate that contains a name that does not conform to the requirements of § 7-7-305(c).

(B) Each political party shall:

(i) Be responsible for determining the qualifications of candidates seeking to appear on the presidential preferential primary ballot of each political party;

(ii) Provide necessary applications for candidacy;
and

(iii) Accept and process the applications.

(C) The Secretary of State shall transmit to each county board of election commissioners no later than ninety-two (92) days before the presidential preferential primary election a certified list of the names of the candidates of each political party as they are to be printed on the

ballot.

(D)(i) Not later than *eighty-nine (89)* days before the presidential preferential primary election, the county board of election commissioners of each county shall hold a public meeting to determine by lot the order in which the names of the candidates for the respective party primaries are to appear on the ballot.

(ii) The county board of election commissioners shall publish notice of the meeting at least three (3) days before the meeting in a newspaper of general circulation in the county.

(4) The cost of the presidential preferential primary election shall be borne by the State of Arkansas and shall be paid from an appropriation made to the State Board of Election Commissioners for that purpose.

(5)(A) Within each county, the presidential preferential primary election shall be conducted by the county board of election commissioners.

(B) The state board may withhold reimbursement of funds to counties for state-funded presidential preferential primary elections for failure to comply with the rules developed by the state board for the administration of primary elections or applicable state election laws until all requirements are met to the satisfaction of the state board.

(b)(1) Presidential preferential primary election procedures not addressed in this section shall be governed by the general election laws of the state, including, but not limited to, laws governing primary elections.

(2) Party rules shall govern presidential preferential primary election procedures not addressed by the general election laws of this state.

SECTION 4. Arkansas Code § 7-8-204 is amended to read as follows:

7-8-204. Rules for selection of delegates and alternates.

Each political party holding a presidential preferential primary election in the state shall adopt appropriate rules for the selection of delegates and alternate delegates to the quadrennial national nominating convention of the party and to otherwise carry out the intent and purposes of this subchapter.

/s/G. Stubblefield