

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1765

By: Representative Holcomb

For An Act To Be Entitled

AN ACT TO IMPROVE ELECTION ADMINISTRATION
TRANSPARENCY; TO RESOLVE A CONFLICT IN THE LAW
CONCERNING PUBLIC NOTICE OF ELECTIONS; AND FOR OTHER
PURPOSES.

Subtitle

TO IMPROVE ELECTION ADMINISTRATION
TRANSPARENCY; AND TO RESOLVE A CONFLICT
IN THE LAW CONCERNING PUBLIC NOTICE OF
ELECTIONS.

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

SECTION 1. Arkansas Code § 7-5-202 is amended to read as follows:
7-5-202. Public notice of elections.

(a)(1) It shall be the duty of the county board of election commissioners at least twenty (20) days before each preferential primary and general election and at least ten (10) days before the holding of each general primary, general runoff, or special election to give public notice in a newspaper of general circulation in the county of:

- ~~(1)~~(A) The date of the election;
- ~~(2)~~(B) The hours of voting on election day;
- ~~(3)~~(C) The places and times for early voting;
- ~~(4)~~(D) Polling sites for holding the elections in the county;
- ~~(5)~~(E) The candidates and offices to be elected at that time;

and

- ~~(6)~~(F) The time and location of the opening, processing,



canvassing, and counting of ballots; and

(G)(i) The location where a list of appointed election officials, deputy county clerks, or additional deputies hired to conduct early voting can be found and the date the list is available.

(ii) A person shall not serve as an election official, deputy county clerk, or additional deputy if:

(a) The person is married to or related within the second degree of consanguinity to a candidate running for office in the election; and

(b) Another person makes an objection to his or her service to the county board of election commissioners within ten (10) calendar days after posting the list of officials.

(iii) The public notice shall contain directions for filing an objection to the service of an election official, deputy county clerk, or additional deputy.

(b)(1) At least five (5) days prior to a preferential primary, general primary, general election, general runoff, or special election, a copy of the public notice may be posted at each polling site fixed for holding the election and shall be published in a newspaper of general circulation in the county.

(2)(A) At least fifteen (15) days ~~prior to~~ before the beginning of early voting and the election day, each county board or county clerk shall prepare and post in a public place in the county clerk's office its list of appointed election officials, deputy county clerks, or additional deputies hired to conduct early voting.

(B) The list may appoint election officials, deputy county clerks, or additional deputies hired to conduct early voting in the event of a runoff election.

(c) On the day of any election, the following shall be posted at each polling site and remain posted continuously therein until the polls close:

(1) The public notice required in subsection (a) of this section;

(2) At least two (2) sample ballots, marked with the word "SAMPLE", of each ballot style that will be used at the polling site;

(3) Two (2) copies of the full text of all measures on the ballot;

(4) At least two (2) copies of instructions on how to vote, including how to cast a provisional ballot and instructions for fail-safe voting;

(5) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;

(6) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation;

(7)(A) Double-sided signs containing the words "VOTE HERE".

(B) Each sign shall be at least two feet (2') by two feet (2') in size and shall contain an arrow pointing to the polling site.

(C) A sign shall be posted near each main driveway entrance to the polling site on each public street bordering the polling site so as to be visible to all traffic approaching the polling site.

(D) The sign shall be as close as possible to the public street without obstructing traffic; and

(8) One (1) printout from each voting machine, terminal, or ballot tabulator showing whether the candidate and question counters register zero (0).

(d) The Secretary of State shall provide to each county board of election commissioners and each county clerk the information to be posted at each polling site according to subdivisions (c)(5) and (6) of this section.