

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1766

By: Representatives D. Douglas, Tucker

## For An Act To Be Entitled

AN ACT TO CREATE "THE NONPARTISAN BLANKET PRIMARY ACT"; TO INSTITUTE THE NONPARTISAN BLANKET PRIMARY ELECTION SYSTEM IN THIS STATE FOR CERTAIN OFFICES; TO AMEND THE ARKANSAS ELECTION CODE; AND FOR OTHER PURPOSES.

## Subtitle

TO CREATE "THE NONPARTISAN BLANKET PRIMARY ACT"; TO INSTITUTE THE NONPARTISAN BLANKET PRIMARY ELECTION SYSTEM; AND TO AMEND THE ARKANSAS ELECTION CODE.

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

SECTION 1. Arkansas Code Title 7, Chapter 7, is amended to add an additional subchapter to read as follows:

Subchapter 6 – The Nonpartisan Blanket Primary Act

7-7-601. Title.

This subchapter shall be known and may be cited as the “The Nonpartisan Blanket Primary Act”.

7-7-602. Purpose.

The purpose of this subchapter is to:

(1) Require that all eligible candidates for a federal congressional office, state office, and judicial office are listed on a



single ballot in a primary election or general election without consideration of the political party of the candidate, if the candidate is affiliated with a political party; and

(2) Allow a registered voter to vote for the candidate of his or her choice without the consideration of the political party of the candidate, if the candidate is affiliated with a political party.

7-7-603. Application.

(a) This subchapter applies to an election for a state office, federal congressional office, and judicial office.

(b) This subchapter does not apply to an election concerning a county office, municipal office, or township office.

(c) The general law concerning elections in this state shall apply to an election under this subchapter unless otherwise provided for under law.

7-7-604. Administration.

The State Board of Election Commissioners shall have authority to adopt rules for the administration of open primary elections under this subchapter.

7-7-605. Definitions.

As used in this subchapter

(1) "Judicial office" means the office of justice of the Supreme Court, judge of the Court of Appeals, circuit judge, district judge, and prosecuting attorney; and

(2) "Open election" means an election held in the manner provided by this subchapter for the purpose of selecting nominees for candidates for elections at a general or special election in this state.

7-7-606. Open primary elections – Date.

An open primary election under this subchapter shall take place at the same time as a primary election for county, township, and municipal offices under § 7-7-203.

7-7-607. Filing as a candidate with a party affiliation.

(a)(1) Except as provided in subsection (g) of this section, a person who files as a candidate for an office may indicate a party affiliation to be

noted on the ballot.

(2) A person who files as a candidate for office indicating a party affiliation to be noted on the ballot shall not:

(A) File indicating more than one (1) party affiliation in that election; or

(B) File as an independent or write-in candidate in that election.

(b)(1) A person who chooses to indicate a party affiliation shall file as a candidate during a one-week period ending at 12:00 noon on the first day in March and beginning at 12:00 noon one (1) week prior to the first day in March before the open election.

(2) The person shall submit the:

(A) Political practices pledge;

(B) Party certificate; and

(C) Affidavit of eligibility.

(3) The political practices pledge, party certificate, and affidavit of eligibility shall be filed with the county clerk or the Secretary of State during regular office hours during the filing period under this section.

(4) The name of a candidate who does not file a political practices pledge, party certificate, and affidavit of eligibility by the filing deadline with the Secretary of State or county clerk shall not appear on the ballot.

(c) The Secretary of State shall not accept for filing the political practices pledge or affidavit of eligibility of a candidate seeking to file for candidacy to any federal congressional or state office indicating an affiliation with a political party unless the candidate first files a party certificate.

(d)(1) At least seventy-five (75) days before the open primary election and general election, the Secretary of State shall certify to the county committees and to the county boards of election commissioners a list of the names of all candidates who have filed as required under this section with the Secretary of State.

(2) At least seventy-five (75) days before the open primary election and general election, the county clerk shall certify to the county committees and to the county board of election commissioners a list of the

names of all candidates who have filed as required under this section with the county clerk.

(e)(1) The county board of election commissioners shall convene, at the time specified in the notice to the members given by the chair of the board, no later than the tenth day after each election for the purpose of canvassing the returns and certifying the election results.

(2) If a time is not specified for the meeting of the county board of election commissioners, the meeting shall be at 5:00 p.m.

(f)(1) The county board of election commissioners shall certify to the Secretary of State and the secretary of each state committee of each political party the results of the contests for all federal congressional and state offices.

(2) Immediately after ascertaining the results for all federal congressional and state offices, the Secretary of State shall certify to the state committee of each political party a list of all candidates for the offices.

(g) A person who files for the office of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, district judge, or prosecuting attorney shall not indicate a party affiliation on the ballot.

7-7-608. Filing as an independent – Petitions – Disqualification.

(a)(1) A person desiring to have his or her name placed upon the ballot as an independent candidate without political party affiliation for any federal congressional or state office in any open election in this state shall file the following during the one-week period ending at 12:00 noon on the first day in March and beginning at 12:00 noon one (1) week prior to the first day in March the year in which the election is to be held:

(A) A political practices pledge;

(B) An affidavit of eligibility;

(C) A notice of candidacy stating the name and title the candidate proposes to appear on the ballot and identifying the elective office sought, including the position number, if any; and

(D) A petition under this section.

(2)(A) An independent candidate shall state the same position, including the position number, if any, on his or her petition.

(B) When a candidate has identified the position sought on

the notice of candidacy, the candidate shall not be allowed to change the position but may withdraw a notice of candidacy and file a new notice of candidacy designating a different position before the deadline for filing.

(b)(1) The petition for a candidate for a federal congressional office or state office shall be signed by the lesser of:

(A) Three percent (3%) of the qualified electors of the state; or

(B) Ten thousand (10,000) qualified electors.

(2)(A) Each elector signing the petition shall be a registered voter.

(B) The petition shall:

(i) Be directed to the official with whom the person is required by law to file the petition to qualify as a candidate; and

(ii) Request that the name of the person be placed on the ballot for election to the office mentioned in the petition.

(3) Petitions shall be circulated not earlier than ninety (90) calendar days before the deadline for filing petitions to qualify as an independent candidate unless the number of days is reduced by a proclamation, ordinance, resolution, order, or other authorized document for a special election under § 7-11-101 et seq.

(4) If the number of days in which the petition for independent candidacy may be circulated is reduced by a proclamation, ordinance, resolution, order, or other authorized document for a special election under § 7-11-101 et seq., the number of signatures required on the petition shall be reduced proportionately.

(5) Each elector signing the petition shall be a registered voter.

(6) The petition shall:

(A) Be directed to the official with whom the person is required by law to file the petition to qualify as a candidate;

(B) Request that the name of the person be placed on the ballot for election to the office mentioned in the petition; and

(C) Be on a form prescribed by the Secretary of State that includes without limitation designated space for:

(i) The signature of the qualified elector;

(ii) The printed name of the qualified elector;

(iii) The date of the signature of the qualified elector; and

(iv) The address of the qualified elector.

(7) The person filing for office as an independent candidate shall submit with the petition an affidavit that swears:

(A) The signatures were not collected for a period more than ninety (90) days;

(B) The beginning and ending dates for collection of signatures on the petition are those as indicated on the affidavit; and

(C) The signatures were collected and the petition was executed and submitted in compliance with the law.

(8) Signatures that are incorrectly obtained or submitted under this section shall not be counted.

(c) A person who files as an independent candidate shall not file as a write-in candidate or a candidate indicating a party affiliation in that election.

7-7-609. Notice of candidacy as a write-in candidate.

(a) During a one-week period ending at 12:00 noon on the first day in March and beginning at 12:00 noon one (1) week before the first day in March, a person who seeks to be a write-in candidate for office shall:

(1) File with the county clerk or Secretary of State:

(A) A notice of write-in candidacy;

(B) A political practices pledge; and

(C) The affidavit of eligibility; and

(2) Notify the county board of election commissioners of each county in which the candidate seeks election of his or her intent and filing.

(b) The notice shall be filed with the Secretary of State.

7-7-610. Party certificate and political party filing fees.

(a)(1) A political party may impose a filing fee for candidates seeking to indicate on the ballot an affiliation with that political party.

(2)(A) The filing fee for county, municipal, and township offices shall be fixed by the county committee of the political party, as authorized by the state committee of the political party.

(B) The filing fee for all other offices shall be

established by the state committee of the political party.

(3) A candidate seeking a party certificate shall:

(A) File an affidavit of eligibility;

(B) File a party pledge if any is required by the political party; and

(C) Pay the party filing fees if filing fees are required by the political party.

(b) Candidates shall:

(1) File the party pledge and the affidavit of eligibility with the secretary of the state committee of the political party or his or her designated agent; and

(2) Pay the party filing fees with the secretary of the state committee of the political party or his or her designated agent.

(c) A candidate who does not file the party pledge and affidavit of eligibility and pay the party filing fee at the time and in the manner provided for in this section shall not receive a party certificate and shall not have his or her name printed on the ballot at any general election.

(d) The names of candidates who file with the state committee as provided for in this section shall be certified to the various county committees and the various county boards of election commissioners in the manner and at the time provided under § 7-5-607.

7-7-611. Open election held with preferential primary election – Separate ballots.

(a) At each open primary election that is held with the preferential primary election for the office of President of the United States, each county board of election commissioners shall furnish separate ballots for each political party containing:

(1) The names of persons seeking the office of President of the United States to be voted on as a nominee or candidate of that political party;

(2) The names of all qualified candidates for the open election;

(3) The names of all qualified candidates for the nonpartisan judicial general election; and

(4) All measures and questions, if any, to be decided by the voters.

(b) The county board of election commissioners also shall furnish a separate nonpartisan ballot containing the names of all qualified candidates for the open election, all qualified candidates for the nonpartisan election, and all measures and questions, if any, to be decided by the voters.

7-7-612. Progress to general election – Tie vote and runoff.

(a)(1) The two (2) candidates for a federal congressional office, state office, or judicial office who receive the most votes in the open election shall appear on the ballot in the general election.

(2) If the two (2) candidates receiving the most number of votes receives the same number of votes in an open election:

(A) Both candidates' names shall be placed on the ballot in the general election; and

(B) An open runoff election shall not be held for that office.

(b)(1)(A) If an election for a federal congressional office, state office, or judicial office results in one (1) candidate receiving the most votes and two (2) candidates receiving the same number of votes and the second highest number of votes in the open election, the two (2) candidates who received the same number of votes and the second highest number of votes shall appear on the ballot at the open runoff election.

(B) The candidate who receives the most votes in the open election and the candidate who receives the most votes in the open runoff election shall appear on the ballot in the general election.

(2)(A) If an election for a federal congressional office, state office, or judicial office results in more than two (2) candidates receiving the same number of votes and the highest number of votes in the open election, the candidates who received the same number of votes and the highest number of votes shall appear on the ballot at the open runoff election.

(B) The two (2) candidates who receive the most votes in the open runoff election shall appear on the ballot in the general election.

(3)(A) If two (2) candidates for a federal congressional office, state office, or judicial office receive the same number of votes at the open runoff election, the State Board of Election Commissioners shall determine which candidate will proceed to the general election by lot at a public

meeting and in the presence of the two (2) candidates.

(B) The candidate who receives the most votes in the open election and the candidate who is chosen by lot shall appear on the ballot in the general election.

(c)(1)(A) If two (2) candidates for any office, except those offices named in Arkansas Constitution, Article 6, § 3, and the office of Lieutenant Governor, receive the same number of votes at the general election, a special runoff election shall be held three (3) weeks after the general election.

(B) If two (2) candidates for district, county, township, or municipal office receive the same number of votes at the special runoff election three (3) weeks after the general election, the county board of election commissioners shall determine which candidate is elected by lot at a public meeting and in the presence of the two (2) candidates.

(2) If two (2) candidates for the office of Lieutenant Governor receive the same number of votes at the general election, one (1) shall be chosen by:

(A) Joint vote of both houses of the General Assembly; and

(B) Majority vote of the membership of the General Assembly.

SECTION 2. Arkansas Code § 7-1-101(26), concerning definitions relevant to elections, is amended to read as follows:

(26)(A) "Party filing period" means the period of time established by law for the candidate for a political party's nomination to file his or her party certificate with the Secretary of State or county clerk, as the case may be; .

(B) This definition does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.;

SECTION 3. Arkansas Code § 7-1-101(37), concerning definitions relevant to elections, is amended to read as follows:

(37)(A) "Vacancy in nomination" means the circumstances in which:

(A)(i) The person who received the majority of votes at the preferential primary election or general primary election cannot accept the nomination due to death or notifies the party that he or she will not

accept the nomination due to serious illness, moving out of the area from which the person was elected as the party's nominee, or filing for another office preceding the final date for certification of nominations; or

~~(B)(ii)~~ There is a tie vote for the same office at a general primary election~~;~~.

(B) This definition does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.;

SECTION 4. Arkansas Code § 7-1-103(a)(19)(B), concerning the misdemeanor offense for casting a ballot in the preferential primary of one (1) political party and the general primary of another political party, is amended to read as follows:

(B) ~~No~~ Except as provided under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq., a person shall not cast a ballot or vote in the preferential primary election of one (1) political party and then cast a ballot or vote in the general primary of another political party in this state;

SECTION 5. Arkansas Code § 7-1-103(a)(22), concerning a misdemeanor offense protecting anonymity of votes, is amended to read as follows:

(22) ~~No~~ An election official, poll watcher, or any other person in or out of this state in ~~any~~ a primary, open, general, or special election in this state shall not divulge to any person the results of any votes cast for any candidate or on any issue in the election until after the closing of the polls on the day of the election. ~~The provisions of this~~ This subdivision (a)(22) shall not apply to any township or precinct in this state in which all of the registered voters therein have voted prior to the closing of the polls in those instances in which there are fifteen (15) or fewer registered voters in the precinct or township; and

SECTION 6. Arkansas Code § 7-3-101(2), concerning powers and duties of political parties, is amended to read as follows:

(2) Prescribe the qualifications for voting in ~~their~~  
(A) party primaries Their primary election; and or  
(B) An election under The Nonpartisan Blanket Primary Act, § 7-7-601; and

SECTION 7. Arkansas Code § 7-3-107 is amended to read as follows:

7-3-107. State convention – Declaration of election results and nominees – Certificates.

(a) After a primary election for the selection of nominees for ~~United States, state, or~~ district offices, each political party shall hold a state convention following the biennial general primary election for the purpose of:

(1) Receiving from the Secretary of State the certification of the election results for all ~~United States, state, and~~ district offices. Each political party shall furnish to each successful nominee a certificate of nomination; and

(2) Performing other duties as may be required by political party rules or by law.

SECTION 8. Arkansas Code § 7-7-101 is amended to read as follows:

7-7-101. Selection of nominees.

The name of no person shall be printed on the ballot in any general or special election in this state as a candidate for election to any office unless the person shall have been certified as a nominee ~~selected pursuant to this subchapter.~~

SECTION 9. Arkansas Code § 7-7-102 is amended to read as follows:

7-102. Party nominees certified at primary election.

(a) Except as provided in subsection (b) of this section, nominees of any political party for ~~United States Senate, United States House of Representatives, or state,~~ a district, county, township, or applicable municipal office to be voted upon at a general election shall be certified as having received a majority of the votes cast for the office, or as an unopposed candidate, at a primary election held by the political party in the manner provided by law.

(b) A new political party established by petition shall nominate any candidate by convention for the first general election after certification of a sufficient petition.

(c) This section does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.

SECTION 10. Arkansas Code § 7-7-103, concerning filing as an independent candidate, is amended to add an additional subsection to read as follows:

(d) This section does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.

SECTION 11. Arkansas Code § 7-7-104, concerning vacancies in nominations, is amended to add an additional subsection to read as follows:

(g) This section does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.

SECTION 12. Arkansas Code § 7-7-106, concerning filling vacancies in candidacy for nomination, is amended to add an additional subsection to read as follows:

(g) This section does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.

SECTION 13. Arkansas Code § 7-7-201 is amended to read as follows:  
7-7-201. Law governing primary elections.

(a) The cost of ~~political party primaries~~ all primary elections 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.

(b)(1) Within each county, the political party primary elections shall be conducted by the county board of election commissioners.

(2) The state board shall have authority to adopt rules for the administration of all primary elections consistent with the provisions of this chapter.

(3) The state board may withhold reimbursement of funds to the counties for state-funded 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.

(4) ~~Each~~ Except as provided under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq., each political party shall be responsible for determining the qualifications of candidates seeking nomination by the

political party, provide necessary applications for candidacy, accept and process the applications, and determine the order of its ballot.

(c) ~~All~~ Except as provided under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq., political party primary elections shall be conducted in conformity with the provisions of this ~~act~~ chapter, and these elections are declared to be legal elections.

(d) In cases of circumstances or procedures which may arise in connection with any primary election for which there is no provision of this ~~act~~ chapter governing the circumstances or procedures, they shall be governed by the general election laws of this state or by party rules if there is no applicable general election law.

SECTION 14. Arkansas Code § 7-7-202 is amended to read as follows:

7-7-202. Preferential and general primaries – When required – Common polling places.

(a) Whenever any political party shall select by primary election party nominees as candidates at any general election for any ~~United States, state,~~ district, county, township, or municipal office, there shall be held a preferential primary election and a general primary election, if required, on the respective dates provided in § 7-7-203(a) and (b).

(b)(1) A Except as provided under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq., a general primary election for a political party shall not be held if there are no races in which three (3) or more candidates qualify for the same office or position as provided in subsection (c) of this section unless a general primary election is necessary to break a tie vote for the same office or position at the preferential primary.

~~(c)~~(2) If there are no races in which three (3) or more candidates qualify for the same office or position, only the preferential primary election shall be held for the political party. If all nominations have been determined at the preferential primary election or by withdrawal of candidates as provided in § 7-7-304(a) and (b), the general primary election shall not be held.

~~(d)~~(c) The county board of election commissioners shall establish common polling places for the joint conduct of the primary elections of all political parties.

SECTION 15. Arkansas Code § 7-7-203(a)-(d), concerning dates for primary elections, are amended to read as follows:

(a)(1) The general primary election shall be held on the second Tuesday in June preceding the general election.

(2) An open primary runoff under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq. shall be held at the same time as the general primary under subdivision (a)(1) of this section.

(b)(1) The preferential primary election shall be held on the Tuesday three (3) weeks before the general primary election.

(2) An open preferential primary election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq. shall take place at the same time as the preferential primary election under subdivision (b)(1) of this section.

(c)(1) The party filing period shall be a one-week period ending at 12:00 noon on the first day in March and beginning at 12:00 noon one (1) week prior to the first day in March.

(2) Party pledges, if any, and affidavits of eligibility shall be filed, any filing fees of a political party, if any, shall be paid, and party certificates shall be issued by the party during regular office hours during the party filing period.

(3) A party certificate and the political practices pledge shall be filed with the county clerk or the Secretary of State, as the case may be, during regular office hours during the party filing period.

(4) The name of a candidate who fails to file a party certificate and political practices pledge by the filing deadline with the Secretary of State or county clerk, as the case may be, shall not appear on the ballot.

(5) Party pledges, if any, shall be filed, filing fees, if any, shall be paid, and party certificates and political practice pledges shall be filed for special primary and special open primary elections on or before the deadline established by proclamation of the Governor or other entity authorized to call a special primary or special open primary election.

(d)(1) At least seventy-five (75) days before the preferential primary election or the open preferential primary, the Secretary of State shall certify to the various county committees and to the various county boards of election commissioners a list of the names of all candidates who have filed party certificates with the Secretary of State within the time required by

law.

(2) At least seventy-five (75) days before the preferential primary election and the open preferential primary, the county clerk shall certify to the county committees and to the county board of election commissioners a list of the names of all candidates who have filed party certificates with the county clerk within the time required by law.

SECTION 16. Arkansas Code § 7-7-204, concerning the prohibition on candidacy for multiple nominations, is amended to add an additional subsection to read as follows:

(c) This section does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.

SECTION 17. Arkansas Code § 7-7-205(c)(4), concerning petition requirements for new political parties, is amended to read as follows:

(4) If Except as provided under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq., if the new party maintains party status by obtaining three percent (3%) of the total votes cast for the office of Governor or nominees for presidential electors at the first general election after certification, the new political party shall nominate candidates in the party primary as set forth in § 7-7-101 et seq.

SECTION 18. Arkansas Code § 7-7-301 is amended to read as follows:

7-7-301. Party pledges, affidavits of eligibility, and party filing fees – County, municipal, and township offices.

(a)(1) A political party may impose a filing fee for candidates seeking nomination by that party. The filing fee for county, municipal, and township offices shall be fixed by the county committee, as authorized by the state executive committee. For all other races, the filing fee shall be established by the state executive committee. On or before 12:00 noon of the last day of the political party filing period, all candidates at primary elections of political parties shall file an affidavit of eligibility and any pledge required by such party and shall pay the party filing fees required by the party, ~~as follows:~~

~~(1) Candidates for United States Senator, for United States Representative, and for all state offices shall file the pledge and the~~

~~affidavit of eligibility and pay the party filing fees with the secretary of the state committee of the political party or his or her designated agent;~~

~~(2) Candidates for district offices, including, but not limited to, the offices of State Representative and State Senator, shall file the pledge and affidavit of eligibility with the secretary of the state committee of the political party or his or her designated agent and pay the party filing fees with the secretary of the state committee of the political party or his or her designated agent; and~~

~~(3)~~(2) All candidates for county, municipal, and township offices, candidates for county committee member, and delegates to the county convention shall file the pledge and the affidavit of eligibility and pay the party filing fees with the secretary of the county committee of the political party.

(b) The county clerk shall not accept for filing the political practices pledge of any candidate for nomination by a political party to any county, township, or partisan municipal office, ~~nor shall the Secretary of State accept for filing the political practices pledge of any candidate for nomination by a political party to any state or district office,~~ unless the candidate first files a party certificate.

(c) Any candidate under this section who shall fail to file the party pledge and affidavit of eligibility and pay the party filing fee at the time and in the manner as provided in this section shall not receive a party certificate and shall not have his or her name printed on the ballot at any primary election.

(d) The names of candidates who file with the state committee as provided in this section shall be certified to the various county committees and the various county boards of election commissioners in the manner and at the time provided in § 7-7-203.

SECTION 19. Arkansas Code § 7-7-304, concerning names to be included on ballots, is amended to add an additional subsection to read as follows:

(g) This section does not apply to an election under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq.

SECTION 20. Arkansas Code § 7-7-305(a)-(b), concerning printing of ballots, are amended to read as follows:

(a)(1) The ballots of ~~the~~ all primary election elections shall be provided by the county board of election commissioners. The form of the ballots shall be the same as is provided by law for ballots in general elections in this state.

(2) Except as provided under The Nonpartisan Blanket Primary Act, § 7-7-601 et seq., a A different color ballot may be used to distinguish between political parties.

(b)(1) The order in which the names of the respective candidates are to appear on the ballots at all ~~preferential and general~~ primary elections shall be determined by lot at the public meeting of the county board of election commissioners held not later than seventy-two (72) days before the preferential primary election or open preferential primary election.

(2) The county board shall give at least ten (10) days' written notice of the time and place of the meeting to the chairs of the county committees if the chairs are not members of the board, and at least three (3) days before the meeting, shall publish notice of the time and place of holding the meeting in some newspaper of general circulation in the county.

SECTION 21. Arkansas Code § 7-7-306 is amended to read as follows:

7-7-306. Partisan ~~and nonpartisan~~ general election ballots - County, municipal, and township offices.

(a) At each party primary and ~~nonpartisan~~ general election for a county, municipal, and township offices, each county board of election commissioners shall furnish a separate ballot for each political party containing:

(1) The name of each person seeking nomination as a candidate of that political party;

~~(2) The name of each candidate for the general election to a nonpartisan office under § 7-10-101 [repealed]; and~~

~~(3)~~(2) All measures and questions, if any, to be decided by the voters.

(b) The county board of election commissioners shall also furnish a separate ballot containing ~~the names of all qualified candidates for the general election to nonpartisan offices and~~ all measures, if any, to be decided by the voters.

(c) This section does not apply to an election under The Nonpartisan

Blanket Primary Act, § 7-7-601 et seq.

SECTION 22. Arkansas Code § 7-8-101 is amended to read as follows:

7-8-101. Primaries — ~~General law governs.~~

All primaries, preferential and general, for the selection of nominees for federal offices, including those of the United States Senators and Representatives, shall be held ~~on the same date and in the same manner as the preferential and general primaries for state, district, county, and township offices and shall be governed by the same procedure prescribed by this act~~ in accordance with The Nonpartisan Blanket Primary Act, § 7-6-601 et seq.

SECTION 23. Arkansas Code § 7-10-102 is amended to read as follows:

7-10-102. Nonpartisan election of judges, justices, and prosecuting attorneys.

(a) The offices of ~~Justice~~ justice of the Supreme Court, ~~Judge~~ judge of the Court of Appeals, circuit judge, district judge, and prosecuting attorney are nonpartisan offices.

(b)(1) The general elections for nonpartisan offices shall be held on the ~~same~~ date and at the ~~same~~ times and places as provided by law ~~for~~ preferential primary elections under The Nonpartisan Blanket Primary Act, § 7-6-601 et seq.

(2)(A) The names of nonpartisan candidates shall be:

(i) Included on the ballots of the political parties; and

(ii) Designated as nonpartisan candidates.

(B) Separate ballots containing the names of nonpartisan candidates shall be:

(i) Prepared; and

(ii) Made available to voters requesting a separate ballot.

~~(3) A voter shall not be required to vote in a political party's preferential primary to be able to vote in a nonpartisan election.~~

~~(c)(1) A person shall not be elected to the office of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, district judge, or prosecuting attorney unless the person receives a majority of the votes cast at the election for the office.~~

~~(2) In a nonpartisan election in which no person receives a majority of the votes cast, the two (2) candidates receiving the highest and next highest number of votes shall be certified to a runoff election, which shall be held on the same date and at the same times and places as the November general election.~~

~~(3) The names of the candidates in a nonpartisan runoff election shall be placed on the same ballots as used for the November general elections.~~