

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H2/13/19
A Bill

HOUSE BILL 1364

By: Representative M. Gray

By: Senator J. Sturch

For An Act To Be Entitled

AN ACT TO REQUIRE A CANDIDATE TO USE HIS OR HER
SURNAME ON A BALLOT IN AN ELECTION; TO AMEND THE LAW
CONCERNING BALLOTS; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE A CANDIDATE TO USE HIS OR HER
SURNAME ON A BALLOT IN AN ELECTION; AND
TO AMEND THE LAW CONCERNING BALLOTS.

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

SECTION 1. Arkansas Code § 7-7-305(c), concerning the name to be printed on the ballot in a primary or general election, is amended to read as follows:

(c)(1)(A) A person who files for an elective office in this state may use not more than three (3) given names, one (1) of which may be a nickname or any other word used to identify the person to the voters, and may add as a prefix to his or her name the title or an abbreviation of an elective public office the person currently holds.

(B) A person may use as the prefix the title of a nonpartisan judicial office in an election for a nonpartisan judicial office only if:

(i) The person is currently serving in a nonpartisan judicial office to which the person has been elected in the last election for the office; or

(ii) The person:



(a) Is a candidate for the office of circuit judge or district judge;

(b) Is currently serving in the office of circuit judge or district judge as an appointee; and

(c) Has been serving in that position for at least twelve (12) months.

(C) A nickname shall not include a professional or honorary title.

(2) The person filing for office shall include his or her surname in addition to any given names permitted under subdivision (c)(1)(A) of this section.

(3) The names and titles as proposed to be used by each candidate on the political practice pledge or, if the political practice pledge is not filed by the filing deadline, then the names and titles that appear on the party certificate shall be reviewed no later than one (1) business day after the filing deadline by the Secretary of State for state and district offices and by the county board of election commissioners for county, township, school, and municipal offices.

~~(3)(A)~~(4)(A) The name of every candidate shall be printed on the ballot in the form as certified by either the Secretary of State or the county board of election commissioners.

(B) However, the county board of election commissioners may substitute an abbreviated title if the ballot lacks space for the title requested by a candidate.

(C) The county board of election commissioners shall immediately notify a candidate whose requested title is abbreviated by the county board of election commissioners.

~~(4)~~(5) A candidate shall not be permitted to change the form in which his or her name will be printed on the ballot after the deadline for filing the political practices pledge.

SECTION 2. Arkansas Code § 7-10-103(f), concerning the name to be printed on the ballot in a nonpartisan judicial election, is amended to read as follows:

(f)(1)(A) A nonpartisan candidate shall not use more than three (3) given names, one (1) of which may be a nickname or another word used to

identify the candidate to the voters.

(B)(i) A nonpartisan candidate may add as a prefix to his or her name the title or an abbreviation of an elective public office the candidate currently holds.

(ii) A candidate may use as the prefix the title of a nonpartisan judicial office in an election for a nonpartisan judicial office only if:

(a) The candidate is currently serving in a judicial position to which the candidate has been elected in the last election for the office; or

(b) The candidate:

(1) Is a candidate for the office of circuit judge or district judge;

(2) Is currently serving in the position of circuit judge or district judge as an appointee; and

(3) Has been serving in that position for at least twelve (12) months.

(C) A nickname shall not include a professional or honorary title.

(2) The person filing for office shall include his or her surname in addition to any given names permitted under subdivision (f)(1)(A) of this section.

(3) The names and titles to be used by a candidate on the political practices pledge shall be reviewed no later than one (1) business day after the filing deadline by the Secretary of State for a candidate for Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, district judge, and prosecuting attorney.

~~(3)(A)~~(4)(A) The name of each candidate shall be printed on the ballot in the form as certified by the Secretary of State.

(B) The county board of election commissioners may substitute an abbreviated title if the ballot lacks space for the title requested by a candidate.

(C) The county board of election commissioners immediately shall notify a candidate whose requested title is abbreviated by the county board of election commissioners.

~~(4)~~(5) A candidate shall not change the form in which his or her

name will be printed on the ballot after the deadline for filing the political practices pledge.

/s/M. Gray