

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

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1436

By: Representative A. Collins

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING ELECTORS OF THE PRESIDENT OF THE UNITED STATES AND VICE PRESIDENT OF THE UNITED STATES; TO REQUIRE FAITHFUL PRESIDENTIAL ELECTORS; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING ELECTORS OF THE PRESIDENT OF THE UNITED STATES AND VICE PRESIDENT OF THE UNITED STATES; AND TO REQUIRE FAITHFUL ELECTORS.

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

SECTION 1. Arkansas Code § 7-8-302(1), concerning the election and certification of electors, ballots, contesting conventions, and elector vacancy, is amended to add additional subdivisions to read as follows:

(D) Each elector or elector at large of a political party or group shall execute the following pledge:

"If selected for the position of elector, I agree to serve and to mark my ballots for President of the United States and Vice President of the United States for the nominees for those offices of the party that nominated me."; and

(E) The executed pledge of each elector or elector at large of a political party or group shall be filed with the certification required in subdivision (1)(C) of this section.

SECTION 2. Arkansas Code § 7-8-302(3), concerning the election and



certification of electors, ballots, contesting conventions, and elector vacancy, is amended to add additional subdivisions to read as follows:

(3)(A) Should a vacancy occur in the choice of an elector, the vacancy may be filled by the state executive committee of the party or group, to be certified by the committee to the Secretary of State;

(B) An elector chosen due to a vacancy shall execute the following pledge:

"If selected for the position of elector, I agree to serve and to mark my ballots for President of the United States and Vice President of the United States for the nominees for those offices of the party that nominated me."; and

(C) The executed pledge of each elector chosen due to a vacancy shall be filed with the certification required in subdivision (3)(A) of this section.

SECTION 3. Arkansas Code § 7-8-302(6), concerning the election and certification of electors, ballots, contesting conventions, and elector vacancy, is amended to read as follows:

(D) Each elector or elector at large of an independent candidate who qualified by petition to be on the ballot shall execute the following pledge:

"If selected for the position of elector, I agree to serve and to mark my ballots for President of the United States and Vice President of the United States for the nominees for those offices of the independent candidate that nominated me."; and

(E) The executed pledge of each elector or elector at large of an independent candidate who qualified by petition to be on the ballot shall be filed with the certification required in subdivision (6)(C) of this section.

SECTION 4. Arkansas Code § 7-8-306(a), concerning voting by electors and expenses, is amended to read as follows:

(a) The electors, elected as provided in this subchapter, shall meet at the office of the Secretary of State, in a room to be designated by him or her in the State Capitol Building, at the time appointed by the laws of the United States at the hour of 10:00 a.m. of that day, and give their votes for

President of the United States and for Vice President of the United States, in the manner provided in this subchapter, in accordance with his or her elector's pledge, and perform such duties as are or may be required by law.

SECTION 5. Arkansas Code § 7-8-306, concerning voting by electors and expenses, is amended to add additional subsections to read as follows:

(c) The Secretary of State shall not accept or count an elector's or elector at large's presidential or vice-presidential ballot if the elector or elector at large has not marked both ballots or has marked a ballot in violation of the pledge of the elector or elector at large.

(d) An elector or elector at large who refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of the elector's or elector at large's pledge executed under § 7-8-302 vacates the office of elector, creating a vacant position to be filled under § 7-8-302(3).