

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 173

By: Senators C. Tucker, J. Bryant
By: Representatives Gazaway, M. Shepherd

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 7 OF
THE ARKANSAS CODE CONCERNING ELECTIONS; AND FOR OTHER
PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 7
OF THE ARKANSAS CODE CONCERNING
ELECTIONS.

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

SECTION 1. Arkansas Code § 7-5-615(d), concerning the tabulation of votes and the duplication of damaged or defective ballots, is reenacted to ratify the decision by the Arkansas Code Revision Commission to merge Acts 2023, No. 444, § 6, and Acts 2023, No. 460, § 1.

(d)(1) If any ballot is damaged or defective so that it cannot properly be counted by the electronic vote tabulating device, a true duplicate copy shall be made of the damaged ballot.

(2) When duplicating a ballot, and in the presence of another election official and designated poll watchers, if any, an election official shall:

(A) Reproduce the selections of the voter on a second ballot that is the same ballot style as the ballot cast by the voter;

(B) Stamp or write the word "duplicate" on the duplicated ballot;

(C) Stamp or write the word "original" on the original damaged or defective ballot;



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(D) Label both the original damaged or defective ballot and the duplicate ballot with the same unique serial number;

(E) Substitute the duplicated ballot for the original damaged or defective ballot;

(F) Count the duplicated ballots in the same manner as other ballots in that election; and

(G) Secure and separately store the original damaged or defective ballots in the same manner as other ballots in that election.

(3) The duplication of a damaged or defective ballot counted at the central counting facility shall be conducted by an election official at the same time and location that ballots with no defects are counted.

(4) The duplication of a damaged or defective ballot cast at a polling site shall be delivered securely to the county board of election commissioners to be duplicated by election officials or added to the precinct's count manually on the night of the election.

(5) An election official under subdivision (d)(2) of this section shall maintain a recorded count of damaged ballots to be duplicated in the presence of authorized poll watchers, if any, and provide the report to the county board of election commissioners.

SECTION 2. Arkansas Code § 7-6-220(a)(1)(A), concerning reporting of independent expenditures, is reenacted to ratify the decision by the Arkansas Code Revision Commission to change "five-hundred-dollar" to "two-hundred-dollar" in order to correct a reference error.

(1)(A) No later than fifteen (15) days following the month in which the two-hundred-dollar threshold required under this section is met, the first financial report shall be filed.

SECTION 3. Arkansas Code § 7-9-127(a)(6), concerning interference with initiative petitions and proposed measures, is reenacted to ratify the decision by the Arkansas Code Revision Commission to change the ending conjunction from "and" to "or".

(6) Misrepresents the purpose and effect of the petition or the measure affected for the purpose of causing a person to not sign a petition when acting as a canvasser; or

SECTION 4. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Fifth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Fifth General Assembly and this act:

(A) The act of the regular session of the Ninety-Fifth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Fifth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.