

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 173

5 By: Senators C. Tucker, J. Bryant
6 By: Representatives Gazaway, M. Shepherd
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 7 OF
10 THE ARKANSAS CODE CONCERNING ELECTIONS; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14
15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 7
16 OF THE ARKANSAS CODE CONCERNING
17 ELECTIONS.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 7-5-615(d), concerning the tabulation of
22 votes and the duplication of damaged or defective ballots, is reenacted to
23 ratify the decision by the Arkansas Code Revision Commission to merge Acts
24 2023, No. 444, § 6, and Acts 2023, No. 460, § 1.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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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.

APPROVED: 2/25/25