

1 State of Arkansas *As Engrossed: H3/25/13 S4/8/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

HOUSE BILL 1737

4

5 By: Representative Collins

6 *By: Senator J. Woods*

7

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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING ELECTION PRECINCTS
10 AND BALLOT REPORTING; TO DEFINE "PRECINCT"; TO LIMIT
11 PRECINCT SIZE TO THREE THOUSAND (3,000) REGISTERED
12 VOTERS; AND FOR OTHER PURPOSES.

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Subtitle

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

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SECTION 1. Arkansas Code § 7-1-101, concerning definitions under election law, is amended to add an additional subdivision to read as follows:

(35) "Precinct" means a geographical area the boundaries of which are determined by a county board of election commissioners in order to facilitate voting by the registered voters from that geographical area.

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SECTION 2. Arkansas Code § 7-5-101(a) through (c), concerning precinct boundaries and polling sites, is amended to read as follows:

(a)(1) The county board of election commissioners shall:

(A) Establish election precincts; and

(B)(i) Designate a polling site for each precinct.

(ii) A polling site may serve two (2) or more

precincts, including parts of precincts.



1 (2) Except as provided in § 6-14-106, the designation of polling
2 sites shall be by a unanimous vote of the members of the county board
3 present.

4 (b)(1) The county board by order may alter the boundaries of existing
5 election precincts and establish new ones.

6 (2) A precinct shall not be altered and a new precinct shall not
7 *be created less than ~~thirty (30)~~ sixty (60) days before an election, except*
8 *in the event of an emergency as determined by unanimous vote of the county*
9 *board of election commissioners.*

10 *(3)(A) Except as provided in subdivision (b)(3)(B) of this*
11 *section, if more than three thousand (3,000) voters are registered in a*
12 *precinct, the county board of election commissioners shall redistrict the*
13 *precinct at least one hundred twenty (120) days before the election.*

14 *(B) If the number of registered voters in the precinct*
15 *exceeds three thousand (3,000) registered voters during or after the one*
16 *hundred twenty (120) days before an election, the county board of election*
17 *commissioners shall redistrict the precinct at least one hundred twenty (120)*
18 *days before the next election.*

19 ~~(3)(A)~~ (4)(A) An order to alter the boundaries of any precinct
20 or establish any new one shall not be effective until it has been filed with
21 the county clerk.

22 (B) The order shall contain a:

23 (i) ~~Written~~ A written description of the boundaries
24 of the precinct; and

25 (ii) ~~Map~~ A printed map of the boundaries of the
26 precincts altered or established; and

27 (iii) A digital map detailing the precinct
28 boundaries altered or established in a format prescribed by the Arkansas
29 Geographic Information Office.

30 (c)(1) Within thirty (30) days after the boundaries of an election
31 precinct are altered or a new election precinct is established, the county
32 clerk shall submit ~~five (5) copies of the changes in the form of a map and~~
33 ~~written descriptions~~ written, printed, and digital copies of the map and
34 boundaries required under subdivision (b)(3) of this section to the:

35 (A) The Secretary of State; and

36 (B) The Arkansas Geographical Information Office.

1 (2) Upon receipt of the changes, the Secretary of State
2 immediately shall forward a copy to the:

3 (A) Office of the Attorney General;

4 (B) Census State Data Center; ~~and~~

5 (C) Cartography Section of the Arkansas State Highway and
6 *Transportation Department; and*

7 (D) The Arkansas Geographic Information Office.

8 (3) The Secretary of State may:

9 (A) Designate each precinct in the state with a unique
10 alphanumeric description that clearly references:

11 (i) The precinct designation assigned by the county
12 board of election commissioners; and

13 (ii) The county in which the precinct exists;

14 (B) Create a map of the State of Arkansas that is divided
15 by precinct; and

16 (C) Display the map with the alphanumeric precinct
17 designations on the Secretary of State's Internet website.

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19 SECTION 3. Arkansas Code § 7-5-416(a), concerning counting absentee
20 ballots, is amended to read as follows:

21 (a)(1) The election officials for absentee ballots shall meet in the
22 courthouse in a place designated by the county board of election
23 commissioners on election day for the purpose of processing absentee ballots.

24 (2) The county board shall give public notice of the time and
25 location of the opening, processing, canvassing, and counting of absentee
26 ballots and early voting ballots as provided in § 7-5-202.

27 (3) The county clerk shall forward the absentee ballot
28 applications sorted *alphabetically or* by precinct to the election officials
29 for absentee ballots.

30 (4) The counting of absentee ballots shall be open to the
31 public, and candidates and political parties may be present in person or by a
32 representative designated in writing pursuant to § 7-5-312 during the
33 opening, processing, canvassing, and counting of the absentee ballots as
34 provided in this subchapter.

35 (5)(A) Absentee ~~or~~ and early votes ~~may~~ shall be counted prior to
36 the closing of the polls on election day as provided under this section.

1 (B)(i) No later than thirty (30) minutes after the polls
2 close on election day, the county board of election commissioners shall
3 report by precinct the initial count of early votes and absentee ballot votes
4 to the Secretary of State as provided under § 7-5-701.

5 (ii) No election results of the precinct shall be
6 printed, posted, or released, until after the polls close on election day.

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8 SECTION 4. Arkansas Code § 7-5-416(d), concerning counting absentee
9 ballots, is amended to read as follows:

10 (d) It is the intent of this section to ~~permit~~ require the election
11 officials for absentee ballots to meet and process, canvass, and count
12 absentee ballots according to this section prior to the closing of the polls
13 on election day.

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15 SECTION 5. Arkansas Code § 7-5-701 (b), concerning the declaration,
16 certification, delivery, and custody of election returns, is amended to read
17 as follows:

18 (b) The county board shall also file in the office of the clerk of the
19 county court a certificate setting forth in detail the result of the election
20 in each precinct.

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23 */s/Collins*

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26 **APPROVED: 04/12/2013**