

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

A Bill

HOUSE BILL 1078

5 By: Representative Long
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING RUNOFF
10 ELECTIONS; TO PROVIDE FOR A RUNOFF ELECTION FOR
11 CANDIDATES FOR THE SENATE AND THE HOUSE OF
12 REPRESENTATIVES; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND ARKANSAS LAW CONCERNING RUNOFF
16 ELECTIONS; AND TO PROVIDE FOR A RUNOFF
17 ELECTION FOR CANDIDATES FOR THE SENATE
18 AND THE HOUSE OF REPRESENTATIVES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 7-5-704 is amended to read as follows:

24 7-5-704. Votes for legislative, judicial, and executive officers – ~~The~~
25 ~~vote~~ Runoff election.

26 (a)(1) It shall be the duty of the Secretary of State, in the presence
27 of the Governor, within thirty (30) days after the time allowed in this
28 subchapter to make returns of elections by the county board of election
29 commissioners, or sooner, if all the returns have been received, to cast up
30 and arrange the votes from the several counties for each person who received
31 votes for any legislative, judicial, or executive office, except the offices
32 named in Arkansas Constitution, Article 6, § 3.

33 (2) The persons who have received the greatest number of legal
34 votes for Justice of the Supreme Court and Commissioner of State Lands,
35 within the state; ~~judges~~ Judges of the Court of Appeals and of the circuit
36 courts, and prosecuting attorneys, in their respective districts or circuits;



1 judges of the county and probate courts, circuit clerk, county clerk,
 2 sheriff, coroner, surveyor, and assessor, in their respective counties; and
 3 all other officers required by law, shall be commissioned by the Governor.

4 (b)(1) ~~If two (2) or more persons have an equal number of votes for~~
 5 ~~the same office and a higher number than any other person~~ If there are more
 6 than two (2) candidates for election as a member of the Senate or the House
 7 of Representatives at a general election held in this state and no candidate
 8 for the Senate or the House of Representatives receives a majority of the
 9 votes cast for the office, the names of the two (2) candidates receiving the
 10 highest number of votes for ~~any legislative or executive~~ the office, ~~except~~
 11 ~~those offices named in Arkansas Constitution, Article 6, § 3, and constables,~~
 12 shall be certified to a special runoff election which shall be held four (4)
 13 weeks from the day on which the general election is held.

14 (2) The special runoff election shall be conducted in the same
 15 manner as is now provided by law, and the election results thereof shall be
 16 canvassed and certified in the manner provided by law.

17 (3) If at the conclusion of the special runoff election the two
 18 (2) candidates for election as a member of the Senate or the House of
 19 Representatives have an equal number of votes, the State Board of Election
 20 Commissioners shall determine the winner of the special runoff election by
 21 lot at an open public meeting and in the presence of the two (2) candidates.

22 (c) Subsection (b) of this section shall not apply to the offices of:

- 23 (1) Governor;
- 24 (2) Lieutenant Governor;
- 25 (3) Secretary of State;
- 26 (4) Treasurer of State;
- 27 (5) Auditor of State;
- 28 (6) Attorney General;
- 29 (7) Commissioner of State Lands;
- 30 (8) Justice of the Supreme Court;
- 31 (9) Judge of the Court of Appeals;
- 32 (10) ~~circuit~~ Circuit judge; ~~or~~
- 33 (11) ~~district~~ District judge;
- 34 (12) Prosecuting attorney; or
- 35 (13) Constable.

1 SECTION 2. Arkansas Code § 7-5-705(a), concerning votes for
2 constitutional officers, is amended to read as follows:

3 (a) During the first week of the session after each election for
4 Governor, Lieutenant Governor, Secretary of State, Treasurer of State,
5 Auditor of State, ~~and~~ Attorney General, and Commissioner of State Lands, and
6 in the presence of both houses of the General Assembly, the Speaker of the
7 House of Representatives shall open and publish the votes cast and given for
8 each of the respective officers previously mentioned.

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