

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

A Bill

HOUSE BILL 1693

5 By: Representative Hawk
6 By: Senator K. Hammer
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING DAMAGED OR
10 DEFECTIVE BALLOTS; TO ALLOW THE STATE BOARD OF
11 ELECTION COMMISSIONERS TO PROMULGATE RULES REGARDING
12 THE DUPLICATION OF DAMAGED OR DEFECTIVE BALLOTS; AND
13 FOR OTHER PURPOSES.
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Subtitle

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17 TO AMEND THE LAW CONCERNING DAMAGED OR
18 DEFECTIVE BALLOTS; AND TO ALLOW THE
19 STATE BOARD OF ELECTION COMMISSIONERS TO
20 PROMULGATE RULES REGARDING THE
21 DUPLICATION OF DAMAGED OR DEFECTIVE
22 BALLOTS.
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 7-5-615(d), concerning the tabulation of
27 votes and damaged or defective ballots, is amended to read as follows:

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

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

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

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



1 ballot;

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

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

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

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

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

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

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

19 ~~(5)~~(4) An election official under subdivision (d)(2) of this
20 section shall maintain a recorded count of damaged ballots to be duplicated
21 in the presence of authorized poll watchers, if any, and provide the report
22 to the county board of election commissioners.

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24 SECTION 2. Arkansas Code § 7-5-615, concerning the tabulation of votes
25 and damaged or defective ballots, is amended to add an additional subsection
26 to read as follows:

27 (g) The State Board of Election Commissioners shall promulgate
28 necessary rules regarding the duplication of damaged or defective ballots
29 under this section.

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31 SECTION 3. Arkansas Code § 7-5-701(a)(3)(C), concerning the
32 certification, delivery, and custody of returns of election results, is
33 amended to read as follows:

34 (C) On election night for all state and federal elections,
35 immediately after the count of the vote is complete but no later than twenty-
36 four (24) hours after polls close on election night, the county board of

1 election commissioners shall:

2 (i) Declare preliminary and unofficial results of
3 the election, including a statement of the number of outstanding:

4 (a) Ballots of voters who requested ballots
5 under the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §
6 20301 et seq.; ~~and~~

7 (b) Provisional ballots; and

8 (c) Number of ballots required to be
9 duplicated under § 7-5-615; and

10 (ii) Immediately transmit the results by precinct to
11 the Secretary of State through the election night reporting interface
12 provided by the Secretary of State.

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