

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

1 State of Arkansas As Engrossed: H2/27/25 H3/10/25

2 95th General Assembly

A Bill

3 Regular Session, 2025

HOUSE BILL 1070

4

5 By: Representatives John Carr, J. Mayberry, Rose, Underwood

6 By: Senator J. Bryant

7

8

For An Act To Be Entitled

9 AN ACT TO CREATE THE BALLOT DRAW STANDARDIZATION ACT
10 OF 2025; TO AMEND ARKANSAS LAW CONCERNING THE DRAWING
11 OF LOTS TO DETERMINE THE ORDER IN WHICH THE NAMES OF
12 CANDIDATES APPEAR ON THE BALLOT; AND FOR OTHER
13 PURPOSES.

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15

16

Subtitle

17

TO CREATE THE BALLOT DRAW

18

STANDARDIZATION ACT OF 2025.

19

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

21

22 SECTION 1. Title. This act shall be known and may be cited as the
23 "Ballot Draw Standardization Act of 2025".

24

25 SECTION 2. Arkansas Code § 6-14-111(j), concerning candidate filing
26 procedures, is amended to read as follows:

27 (j)(1) On the day after the deadline for candidates to file for a
28 position on the board of directors by petition, the county clerk of the
29 county in which the school district is domiciled for administrative purposes
30 shall certify to the county board of election commissioners ~~the names of~~
31 ~~those candidates who are registered voters in the school district and the~~
32 ~~electoral zone, if applicable, and who have qualified for the ballot by~~
33 ~~petition~~ a list of candidates for the board of directors, arranged by
34 contest, with the candidates listed in the order in which they filed their
35 petitions and with the earliest filing candidate listed first.

36

(2) The list under subdivision (j)(1) of this section shall



1 include the date and time that the candidate's petition was filed.

2
3 SECTION 3. Arkansas Code § 6-14-111(k), concerning candidate filing
4 procedures for school elections, is amended to read as follows:

5 (k)(1) The order in which the names of the respective candidates are
6 to appear on the ballot shall be determined by lot at the public meeting of
7 the county board of election commissioners held not later than:

8 ~~(1)(A)~~ The deadline to conduct the ballot draw for the
9 preferential primary or general election for an annual school election held
10 in even-numbered years;

11 ~~(2)(B)~~ The seventh day of March for an annual school
12 election held on the second Tuesday in May of an odd-numbered year; and

13 ~~(3)(C)~~ Seventy-two (72) days before an annual school
14 election held on the second Tuesday of November of an odd-numbered year.

15 (2)(A) The lot to determine the order in which a candidate's
16 name appears on the ballot shall be drawn by the candidate or his or her
17 designee.

18 (B)(i) Except as provided in subdivision (k)(2)(B)(ii) of
19 this section, a person shall not be designated to draw by lot for more than
20 one (1) candidate at the public meeting under subdivision (k)(1) of this
21 section to determine the order in which the names of the candidates appear on
22 the ballot.

23 (ii) If a candidate does not appear in person to
24 draw by lot and does not designate a person to draw by lot on his or her
25 behalf, the lot shall be drawn by a member of the county board of election
26 commissioners or a person designated by the county board of election
27 commissioners.

28 (C) Lots shall be drawn by contest in the following order
29 as certified to the county board of election commissioners by the Secretary
30 of State or the county clerk:

31 (i) First, by all candidates who appear in person;

32 (ii) Second, by all persons designated by a
33 candidate; and

34 (iii) Third, by members of the county board of
35 election commissioners or persons designated by the county board of election
36 commissioners.

1
2 SECTION 4. Arkansas Code § 7-5-203(a)(1), concerning the certification
3 of candidate lists, is amended to read as follows:

4 (a)(1)(A) Not less than seventy-five (75) days before each general
5 election day, the Secretary of State shall certify to all county boards of
6 election commissioners full lists of all candidates to be voted for in their
7 respective counties as the nominations have been certified or otherwise
8 properly submitted to him or her, arranged by contest, with the candidates
9 listed in the order in which they filed for office and with the earliest
10 filing candidate listed first.

11 (B) The list under subdivision (a)(1)(A) of this section
12 shall include the date and time that the candidate filed for office.

13
14 SECTION 5. Arkansas Code § 7-5-203(b)(1), concerning the certification
15 of candidate lists, is amended to read as follows:

16 (b)(1)(A) Not less than seventy-five (75) days before each general
17 election day, the clerk of each county shall certify to the county board of
18 election commissioners of his or her county a full list of all candidates to
19 be voted for in the county as the nominations have been certified or
20 otherwise properly submitted to him or her, arranged by contest, with the
21 candidates listed in the order in which they filed for office and with the
22 earliest filing candidate listed first.

23 (B) The list under subdivision (b)(1)(A) of this section
24 shall include the date and time that the candidate filed for office.

25
26 SECTION 6. Arkansas Code § 7-5-207(c), concerning the draw for ballot
27 position, is amended to read as follows:

28 (c)(1)(A) The order in which the names of the candidates ~~shall~~ appear
29 on the ballot shall be determined by lot at a public meeting of the county
30 board of election commissioners not less than seventy-two (72) days before
31 the general election.

32 (B)(i) The lot to determine the order in which a
33 candidate's name appears on the ballot shall be drawn by the candidate or his
34 or her designee.

35 (ii) Except as provided in subdivision
36 (c)(1)(B)(iii) of this section, a person shall not be designated to draw by

1 lot for more than one (1) candidate at the public meeting under subdivision
2 (c)(1)(A) of this section to determine the order in which the names of the
3 candidates appear on the ballot.

4 (iii) If a candidate does not appear in person to
5 draw by lot and does not designate a person to draw by lot on his or her
6 behalf, the lot shall be drawn by a member of the county board of election
7 commissioners or a person designated by the county board of election
8 commissioners.

9 (C) Lots shall be drawn by contest in the following order
10 as certified to the county board of election commissioners by the Secretary
11 of State or the county clerk:

12 (i) First, by all candidates who appear in person;

13 (ii) Second, by all persons designated by a
14 candidate; and

15 (iii) Third, by members of the county board of
16 election commissioners or persons designated by the county board of election
17 commissioners.

18 (2) Notice of the public meeting under subdivision (c)(1)(A) of
19 this section shall be given by publication in a newspaper of general
20 circulation in the county at least three (3) days before the drawing.

21 (3) For runoff elections, the ballot order for eligible
22 candidates shall be the same as for the previous election leading to the
23 runoff.

24
25 SECTION 7. Arkansas Code § 7-7-203(d), concerning primary elections,
26 is amended to read as follows:

27 (d)(1)(A) At least seventy-five (75) days before the preferential
28 primary election, the Secretary of State shall certify to the various county
29 committees and to the various county boards of election commissioners a list
30 of the names of all candidates who have filed party certificates with the
31 Secretary of State within the time required by law, arranged by contest, with
32 the candidates listed in the order in which they filed their party
33 certificates and with the earliest filing candidate listed first.

34 (B) The list under subdivision (d)(1)(A) of this section
35 shall include the date and time that the candidate filed his or her party
36 certificate.

1 (2)(A) At least seventy-five (75) days before the preferential
2 primary election, the county clerk shall certify to the county committees and
3 to the county board of election commissioners a list of the names of all
4 candidates who have filed party certificates with the county clerk within the
5 time required by law, arranged by contest, with the candidates listed in the
6 order in which they filed their party certificates and with the earliest
7 filing candidate listed first.

8 (B) The list under subdivision (d)(A) of this section
9 shall include the date and time that the candidate filed his or her party
10 certificate.

11
12 SECTION 8. Arkansas Code § 7-7-304(a)(1), concerning names to be
13 included on primary ballots, is amended to read as follows:

14 (a)(1)(A) The Secretary of State shall certify to all county boards of
15 election commissioners full lists of the names of all candidates who have
16 filed party certificates with him or her to be placed on the ballots in their
17 respective counties at the preferential primary election not less than:

18 ~~(A)(i)~~ Seventy-five (75) days before a preferential
19 primary election that is held in May under § 7-7-203; and

20 ~~(B)(ii)~~ Ninety-two (92) days before a preferential
21 primary election that is held in March under § 7-7-203.

22 (B) The list under subdivision (a)(1)(A) of this section
23 shall:

24 (i) Be arranged by contest, with the candidates
25 listed in the order in which they filed their party certificates and with the
26 earliest filing candidate listed first; and

27 (ii) Include the date and time that the candidate
28 filed his or her party certificate.

29
30 SECTION 9. Arkansas Code § 7-7-304(b)(1), concerning names to be
31 included on primary ballots, is amended to read as follows:

32 (b)(1)(A) The county clerk shall certify to the county board of
33 election commissioners full lists of the names of all candidates who have
34 filed party certificates with him or her to be placed on the ballot at the
35 preferential primary election not less than:

36 ~~(A)(i)~~ Seventy-five (75) days before a preferential

1 primary election that is held in May under § 7-7-203; and

2 ~~(B)(ii)~~ Ninety-two (92) days before a preferential
3 primary election that is held in March under § 7-7-203.

4 (B) The list under subdivision (b)(1)(A) of this section
5 shall:

6 (i) Be arranged by contest, with the candidates
7 listed in the order in which they filed their party certificates and with the
8 earliest filing candidate listed first; and

9 (ii) Include the date and time that the candidate
10 filed his or her party certificate.

11
12 SECTION 10. Arkansas Code § 7-7-305(b), concerning the draw for ballot
13 position in primary elections, is amended to read as follows:

14 (b)(1) The order in which the names of the respective candidates are
15 to appear on the ballots at all preferential and general primary elections
16 shall be determined by lot at the public meeting of the county board of
17 election commissioners held not later than:

18 (A) Seventy-two (72) days before a preferential primary
19 election that is held in May under § 7-7-203; and

20 (B) Eighty-nine (89) days before a preferential primary
21 election that is held in March under § 7-7-203.

22 (2)(A) The lot to determine the order in which a candidate's
23 name appears on the ballot shall be drawn by the candidate or his or her
24 designee.

25 (B)(i) Except as provided in subdivision (b)(2)(B)(ii) of
26 this section, a person shall not be designated to draw by lot for more than
27 one (1) candidate at the public meeting under subdivision (b)(1) of this
28 section to determine the order in which the names of the candidates appear on
29 the ballot.

30 (ii) If a candidate does not appear in person to
31 draw by lot and does not designate a person to draw by lot on his or her
32 behalf, the lot shall be drawn by a member of the county board of election
33 commissioners or a person designated by the county board of election
34 commissioners.

35 (C) Lots shall be drawn by contest in the following order
36 as certified to the county board of election commissioners by the Secretary

1 of State or the county clerk:

2 (i) First, by all candidates who appear in person;

3 (ii) Second, by all persons designated by a

4 candidate; and

5 (iii) Third, by members of the county board of

6 election commissioners or persons designated by the county board of election

7 commissioners.

8 ~~(2)~~(3) The county board of election commissioners shall give at
9 least ten (10) days' written notice of the time and place of the meeting to
10 the chairs of the county committees if the chairs are not members of the
11 county board of election commissioners, and at least three (3) days before
12 the meeting, shall publish notice of the time and place of holding the
13 meeting in some newspaper of general circulation in the county.

14
15 SECTION 11. Arkansas Code § 14-42-206(a)(4), concerning municipal
16 primary elections, is amended to read as follows:

17 (4)(A) Candidates nominated for municipal office by political
18 primaries under this section shall be certified by the county party
19 committees to the county board of election commissioners and shall be placed
20 on the ballot at the general election.

21 (B) The certification under subdivision (a)(4)(A) of this
22 section shall:

23 (i) Be arranged by contest, with the candidates
24 listed in the order in which they filed their party certificates and with the
25 earliest filing candidate listed first; and

26 (ii) Include the date and time that the candidate
27 filed his or her party certificate.

28
29 SECTION 12. Arkansas Code § 14-42-206(b)(3)(C), concerning municipal
30 primary elections, is amended to read as follows:

31 (C) The county clerk promptly shall:

32 (i) ~~notify~~ Notify the candidate of the result; and

33 (ii)(a) Certify to the county board of election
34 commissioners the names of those candidates who have qualified for the ballot
35 by petition and the date and time that each candidate filed his or her
36 petition.

1 (b) The certification under subdivision
2 (b)(3)(C)(ii(a) of this section shall:

3 (1) Be arranged by contest, with the
4 candidates listed in the order in which they filed their petitions and with
5 the earliest filing candidate listed first; and

6 (2) Include the date and time that the
7 petition naming the candidate was filed.

8
9 SECTION 13. Arkansas Code § 14-47-110(a)(3)(D)(i), concerning the
10 election of directors, is amended to read as follows:

11 (D)(i)(a) The name of the candidate mentioned in each
12 petition, together with a copy of the election proclamation if the election
13 is a special election, shall be certified by the city clerk or recorder to
14 the county board of election commissioners not less than seventy-five (75)
15 days before the election unless the city clerk or recorder finds that the
16 petition fails to meet the requirements of this chapter.

17 (b) The certification under subdivision
18 (a)(3)(D)(i)(a) of this section shall:

19 (1) Be arranged by contest, with the
20 candidates listed in the order in which they filed their petitions and with
21 the earliest filing candidate listed first; and

22 (2) Include the date and time that the
23 petition naming the candidate was filed.

24
25 SECTION 14. Arkansas Code § 14-48-109(a)(6)(C), concerning the
26 election of the mayor and directors in a city with the city administrator
27 form of government, is amended to read as follows:

28 (C)(i) The name of the candidate mentioned in each
29 petition, together with a copy of the election proclamation if the election
30 is a special election, shall be certified by the city clerk or recorder to
31 the county board of election commissioners not less than seventy-five (75)
32 days before the election unless the city clerk or recorder finds that the
33 petition fails to meet with the requirements of this chapter.

34 (ii) The certification under subdivision
35 (a)(6)(C)(i) of this section shall:

36 (a) Be arranged by contest, with the

1 candidates listed in the order in which they filed their petitions and with
2 the earliest filing candidate listed first; and

3 (b) Include the date and time that the
4 candidate filed his or her petition.

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/s/John Carr