

LANCASTER LAW FIRM, PLLC

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RE: EXECUTIVE SUMMARY MEMORANDUM

**PROPOSED BILL NO. 6
ROBUST PAPER BALLOT**

Dear Sir or Madam:

This bill creates a paper ballot for use in all election settings (hand marked, electronically voted, and absentee).

Ark. Code Ann. § 7-5-601

(a)

Requires the use of a paper ballot whose stock contains an ultraviolet watermark with seven different images that make up a part of Arkansas history and its economic commodities.

(c)

Requires that all ballots have a serial number that is consecutive and uniform to all ballots.

(f)

Mandates that all ballots be capable of being scanned by a vote tabulating machine.

(g)

Places the security of the paper stock for which ballots are printed into the control of the Secretary of State rather than county commissioners. The bill requires the Secretary of State and the counties to maintain a chain of custody and account for the paper stock upon which ballots are printed. It requires the paper stock not used or voted to be returned to the Secretary of State five days after the polls close on election day.

If a paper stock was printed by a county, but not used, the Secretary must destroy it within ten days of receiving it.

Ninety days after the election, the Secretary of State must certify and publicly post:

- A. The number of blank paper ballots sent to all the counties;
- B. The number of blank or unused paper ballots returned from the counties; and
- C. The number of total votes in the State from all elections during that election cycle.

Sincerely,



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/S/ CLINTON W. LANCASTER
Attorney at Law

A Bill

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023

SENATE BILL _____

4
5 By: Representative
6 By Senator

For An Act to Be Entitled

7
8 AN ACT TO AMEND THE LAW CONCERNING ELECTIONS
9 AND TO RESTORE ELECTION INTEGRITY IN ARKANSAS
10 AND AMENDED ELECTION PROCEDURES
11

Subtitle

12
13 TO CREATE A ROBUST AND DIFFICULT TO DUPLICATE
14 PAPER BALLOT
15

16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 **SECTION 1. Arkansas Code Title 7, Chapter 5, Subchapter 6, Section 601 is**
20 **amended as follows:**

21 (a) All paper ballots provided by the county board of election commissioners of any
22 county in this state for any election shall be alike and shall be printed in plain type approved by
23 the State Board of Election Commissioners and selected by the Secretary of State which contains
24 a voting precinct number, the name of the vote center, and a watermark visible only with an
25 ultraviolet light and containing all of the following images:

- 26 (1) The State Seal;
- 27 (2) The State Bird;
- 28 (3) The State Tree;
- 29 (4) The State Flower; and
- 30 (5) At least one rice stalk, cotton plant, and soybean plant.

PROPOSED BILL 6

1 (b) Each ballot shall be printed on paper with a perforated portion capable of being
2 detached for use as the ballot stub.

3 (c)(1) As ballots are printed, both the ballot and the portion that shall be used as the ballot
4 stub, if a stub is printed or used, shall be numbered consecutively beginning with the number one
5 (1).

6 (2) The number on the last ballot printed shall show the total number of ballots provided
7 for the election.

8 (d)(1) The heading on the front or inner side of each ballot shall be: "OFFICIAL BALLOT.
9 Vote by placing an appropriate mark opposite the person for whom you wish to vote."

10 (2) If the ballot contains an initiated or referred amendment, act, or measure, the heading
11 shall also contain these words: "Vote on amendments, acts, and measures by placing an appropriate
12 mark below the amendment (or act or measure) either FOR or AGAINST."

13 (e) Beneath the heading on each paper ballot there shall be printed instructions that inform
14 the voter:

15 (1) Of the effect of casting multiple votes for an office; and

16 (2) How to correct the ballot before it is cast and counted, including without limitation
17 instructions on how to correct an error through the issuance of a replacement ballot if the voter
18 was otherwise unable to change the ballot or correct an error.

19 (f) Each ballot shall be capable of being scanned and counted with a vote tabulating
20 machine approved by the State Board of Election Commissioners and selected by the Secretary of
21 State.

22 (g)(1) The Secretary of State shall be responsible for the purchase, possession, and
23 distribution of the paper used to print ballots to all counties.

24 (2) The Secretary of State shall maintain a chain of custody for all paper used to print
25 ballots.

26 (3) The county commissioners of each county shall take custody of the paper and ensure
27 ballot style printing is completed prior to each election.

28 (4) The county commissioners of each county shall maintain a chain of custody for all
29 paper used to print ballots that they receive from the Secretary of State.

30 (5) All paper used for the printing of ballots shall be returned to the Secretary of State
31 within five (5) days after the close of the polls on election day.

PROPOSED BILL 6

1 (6) The Secretary of State shall destroy all paper ballots printed by the county
2 commissioners but not used during an election within ten (10) days after receiving the same.

3 (7) Within 90 days after the election, the Secretary of State shall certify and post on a
4 publicly available portion of its website:

5 (A) Number of blank paper ballots sent to all seventy-five counties prior to the start
6 of the election cycle;

7 (B) Number of blank paper or unused ballots received in return from all seventy-five
8 counties after the votes had been tabulated; and

9 (C) Total number of votes casts in all elections in Arkansas for the election cycle.