

# MISSION POSSIBLE

Step by Step Guide for Arkansas  
County Election Coordinators to Assist  
Running County Election Processes

**2024 Election Cycle**

Special Thank You and Appreciation to  
the Following County Election Officials for Their Expertise and Advice to  
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*Amanda Dickens – Pulaski County*

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Dear Election Coordinator:

The State Board of Election Commissioners is pleased to provide you with the inaugural 2024 edition of the SBEC Election Coordinator Manual. This guide came about when it was discovered there was no one guide or directive to show election coordinators the many tasks that must take place to have a well-functioning election process. Being a county election coordinator is a huge responsibility, and many times, is the glue for the county to keep the process together as you go through weeks of preparation to get to Election Day and beyond.

This manual is organized into a chronological, task driven, and easy to read how-to guide and support starting from the beginning thoughts of having an election to the certification of the election and follow up tasks afterwards. We hope this will be a great resource for you and your county as you prepare for an election and beyond. A lot of thought, input, and research from many of our staff and other experienced county coordinators around the state have made this possible.

Like many training manuals this will be a continued working, ongoing process as laws and procedures will change along the way. However, having a solid foundation to help direct election officials will make the election process easier and less confusing. This manual is a guide and not a substitute for state law. If you have questions about legal issues, contact your local county attorney.

The board and staff of the SBEC would like to thank you once again for your commitment and dedication to guide your county's election process in a legal, fair, and honest manner. Today's environment gives us many challenging tasks to give our voters a sense of confidence and security when they go and mark and cast their ballot. We appreciate the tremendous amount of time and effort it takes as election officials to ensure successful Arkansas elections. Our democracy could not function without community citizens like you to lawfully conduct our election process with the highest integrity. The SBEC is committed to always supporting you throughout the election cycle and assist any way possible. We encourage you to visit our website at [www.arkansas.gov/sbec](http://www.arkansas.gov/sbec) for additional information or email or call us at [sbec@arkansas.gov](mailto:sbec@arkansas.gov) or 1-800-411-6996. We appreciate your hard work and dedication to our state election process.

With highest regards,  
Richard Chris Madison  
SBEC Director

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# 2024 ELECTION & FILING PERIOD CALENDAR

**Filing Period for 2024 Preferential Primary, Nonpartisan General, and Possible Partisan Municipal and/or School Elections**      *A.C.A. § 7-7-203 (a)(b)(c), 7-10-103*

**November 6, 2023 beginning at Noon to November 14, 2023 at Noon**

February 20, 2024      Early Vote Begins for Preferential Primary Election, Nonpartisan Judicial General Election, and Possible School and/or Special Elections

- *Early Vote begins on a Tuesday, due to Monday being Presidents' Day*

March 4, 2024      Early Vote Ends at 5 P.M. on Monday

March 5, 2024      Preferential Primary Election Day – Polls open  
7:30 am to 7:30 pm

April 2, 2024      General Primary “Runoff” Election (*if necessary*)

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**Filing Period for 2024 Municipal Independent Election and 2024 November School Election to be Held During General Election**      *A.C.A. §14-42-206 (b)(1)*

**July 31, 2024 beginning at 8 A.M. to August 7, 2024 ending at Noon**

October 21, 2024      Early Vote Begins for General Election, Municipal, Possible Nonpartisan General Runoff, and Possible School and/or Special Elections

November 4, 2024      Early Vote Ends at 5 P.M.

November 5, 2024      General Election Day - Polls open 7:30 am to 7:30 pm

December 3, 2024      General Election Runoff (*if necessary*)

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***Best Practice:***

***Election Coordinators are encouraged to create a working calendar on their own with important dates, trainings, etc. that needs to occur before Election Day. Use this guide as a resource to help with dates. Also, check the Secretary of State's website for their multi-page Election Calendar at [www.sos.arkansas.gov](http://www.sos.arkansas.gov).***



# ACRONYM/WORD GLOSSARY

*Most often used phrases, acronyms, words used throughout this manual.....*

**ADA** – The Americans with Disabilities Act of 1990 or ADA is a civil rights law that prohibits discrimination based on disability which covers many areas of discrimination also covered in the Civil Rights Act of 1964. In addition, ADA also requires covered employers to provide reasonable accommodations to employees with disabilities and imposes accessibility requirements on public accommodations which also includes election polling site locations.

**CBEC** – County Board of Election Commissioners

**ES&S** – Election Systems & Software, Arkansas's voting machine equipment vendor

**DS200** – ES&S polling site tabulator used at the majority of Arkansas counties' polling sites

**Electronic Pollbook/Tablet** – ES&S electronic voter device used to check-in voters at all Arkansas counties' polling sites.

**Express Vote** – ES&S touch screen ballot marking device equipment use in most Arkansas counties' polling sites.

**Flagged Voter** – This is a voter who did not provide a copy of their ID when they mailed in their voter registration application. These voters will be "flagged" on the PVR list at the polling site check-in table to show ID, at that time they must show a valid ID to be issued a regular ballot.

**HAVA** – The Help America Vote Act passed as a federal law in 2002 establishing the Election Assistance Commission to assist in the administration of federal elections, replaced punchcard and lever-based voting systems, and provided polling places and voting systems to become accessible and safe for people with disabilities to vote nationwide.

**ID** – Photo identification card voters use at election vote check-in to verify the voter's identity.

**PYO** – "Program Your Own" ballots.....some of the state's larger counties do their own ballot preparations and other tasks not using ES&S to provide that service.

**PVR** – Precinct Voter Registration list

**SBEC** – Arkansas State Board of Election Commissioners

**SOS** – Arkansas Secretary of State Office (Elections Division)

**UOCAVA** – The Uniformed and Overseas Citizens Absentee Voting Act was enacted in 1986 to allow certain groups of citizens to register and vote absentee in local, state, and federal elections. It is for members of the US uniformed services and merchant marines serving anywhere in the world, their family members, and US citizens residing outside the US.

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# WHO IS AN ELECTION COORDINATOR?

The role of an election coordinator goes back several years for some counties. Still, it wasn't until the January 2021 Arkansas Legislative session that the County Board of Election Commissioners (CBEC) under A.C.A. § 7-4-109 (e)(4) *were required to designate a county coordinator....."the CBEC by a majority vote shall designate a person to attend training as a county election coordinator."*

The statute said the County Election Coordinator may be:

- (1) An employee of the county,
- (2) A member of the county board of election commissioners,
- (3) A county clerk\*,
- (4) A deputy clerk or employee of the county clerk, or
- (5) Another eligible person willing to serve as an election coordinator.

It is a proven fact that over time, a county with an experienced and stable election coordinator is a county with fewer issues and has a more formidable structure when holding elections in their counties. Election coordinators are much like point guards on basketball teams, catchers on baseball teams, or quarterbacks on football teams. They are the ones who have the ball in their hands the most, calling out the plays, executing the plays, and helping their teams to victory. An election coordinator is that person in a county doing those same type of tasks. The election coordinator can many times be the glue running the tedious county election process when you have many public eyes looking at you to hold safe, honest, lawful elections.

Currently, the role of election coordinator in the State of Arkansas differs from county to county and comes in many forms with many different tasks performed. Ultimately, the County Board of Election Commissioners (CBEC) has the great majority of responsibility in conducting elections in your county. The challenge is commissioners often come and go from election to election. Therefore, having a strong coordinator makes a stronger election team. We have seen commissioner turnover in some counties being an issue, therefore, if a county can develop someone to become a reliable, competent election coordinator then it makes the process of holding elections much more reliable and stable. The election coordinator is an extension of the CBEC in helping more with the day-to-day activities and overseeing of the nuts-and-bolts process on a daily basis. Currently, the role of the election coordinator is a mix of the above people identified by the statute. Typically, the larger counties have a full-time coordinator, some even with a small staff; medium size counties have a part-time outside person, the county clerk or designated staff member or a member of the CBEC. Smaller counties may use the

*\*Caution should be exercised when appointing a County Clerk as the coordinator. Clerk has independent authority and conflicts may arise when Clerk is also working at the direction and the authority of the CBEC.*

County Clerk or designated staff person, or member of the CBEC. Like anything, funding for an election coordinator is always an issue for county government but the responsibility of holding honest and fair elections is great.

It has been said that it takes many people working together in a one-goal harmonious manner to conduct an election. Many times, the election coordinator can be seen as the conductor of a symphony band directing everyone reading and playing from the same sheet music.

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***The following is an example of a sample job description of a county election coordinator:***

## COUNTY ELECTION COORDINATOR SAMPLE JOB DESCRIPTION

*(This one is geared toward a County Clerk or deputy clerk serving as the county election coordinator because of his or her responsibility maintaining voter registration and absentee voting duties.....currently, those duties by law will always be the responsibility of the County Clerk's office. For a non-County Clerk/Deputy Clerk coordinator role, remove the voter registration and absentee voting duties from the job description. A CBEC and/or county office can adapt the job description to fit its county's specific needs and objectives.)*

### **JOB SUMMARY:**

The County Election Coordinator is responsible for planning, organizing, and coordinating the functions of the election process within your county, including voter registration, absentee voting, and all election procedures and activities for both Early Vote period and Election Day to ensure that residents within your county can vote and that results are reported accurately in an honest, fair manner.

It should be a nonpartisan, cooperative, and collaborative partnership between the County Board of Election Commissioners and the County Clerk's office to help coordinate the many election processes for any election held inside your county.

### **DUTIES AND RESPONSIBILITIES:**

\*Coordinate all municipal, township, school, special, state primary, and state general elections

\*Analyzes, makes changes, and implements all election procedures within the county

\*Work with the Arkansas Secretary of State and Arkansas State Board of Election Commissioners to ensure county processes comply with all State of Arkansas election laws and guidelines

\*If you are also a County Clerk/Coordinator, maintains and updates voter registration data including, but not limited to, registration forms, absentee ballot processing, provisional ballot verification, voter history, etc.

\*Participates in all election planning and problem-solving activities

\*Assist with polling site selection processes along with securing adequate number of poll workers for each polling site

\*Maintain and protect all voting machine equipment in adequate, secured storage facilities

\*Coordinate the programming and printing of election ballots to meet all statutory requirements

\*Coordinate the logic and accuracy testing of all election software and voting equipment prior to each election

\*Coordinate all poll worker training activities

\*Coordinate delivery of equipment and election materials to each polling site prior to Election Day and back to election headquarters after the election

\*Troubleshoot election day issues

\*Participates in election certification processes, and

\*Follow up on all after-the-election reporting.

#### **OTHER CORE SKILLS, ABILITIES, AND KNOWLEDGE REQUIRED FOR SUCCESSFUL JOB PERFORMANCE:**

\*Ability to communicate effectively both verbally and in writing

\*Perform multiple tasks at one time

\*Work under limited supervision

\*Ability to make good and timely decisions when needed

\*Able to work effectively with other election team members in a harmonious manner

\*Be willing to ask questions

\*Able to work long hours, evenings, and weekends during an election cycle, and

\*Repeat again, BE AN EFFECTIVE COMMUNICATOR with your fellow election team members, media, and community



# WHAT DO YOU DO FIRST?

## **“Meet And Get to Know Your Team”**

If you are new to the election coordinator role, meeting and getting to know your team is a crucial first step. These are your team members and resources who will help you become an effective election coordinator for your county.

On the local level, the County Board of Election Commissioners (CBEC) and the County Clerk and staff (CC) are your teammates. On a higher level, the State Board of Election Commissioners (SBEC) and the Arkansas Secretary of State’s (SOS) Elections Division are valuable team members when needed.

The CBEC’s main responsibility is to ensure compliance with all legal requirements relating to the conduct, procedures, and efficiency of holding elections in your county. The CC’s main election responsibility is to maintain the county’s permanent voter registration records to determine who is legally qualified to vote in primary, general, school, municipal, and special elections. In addition, the CC is also responsible for issuing absentee ballots and conducting early voting in their facilities unless an agreement with the CBEC to conduct early voting off-site is reached.

The SOS is designated as the chief election official in the state responsible for voter registration, candidate filing, petitions, reporting tabulation and certification of election results, state

approved voting equipment (Elections Software & Systems - ES&S is the state's supplier of voting equipment), voting equipment training, and compilation of election laws.

The SBEC is responsible for questions regarding election procedures, election complaints, election laws, election monitors, reimbursement of expenses for state-funded elections and training for procedural duties for county election commissioners, poll worker trainers, and now election coordinators.

Having the support of the county judge and quorum court (QC) is very important. Neither entity is involved in the day-to-day election processes, but the county judge and QC do approve and control the county general fund each year, which elections normally are funded from, with the exception of some smaller counties where the county clerk may fund elections from his or her budgets. The county judge also controls and oversees all county property and facilities, and typically will provide office and storage space for election work and voting equipment. The quorum court also normally has to approve all election equipment purchases, either budgeted or unbudgeted, approve its county to have vote center status, and approve the type of voting tabulation process the county uses.

### **“Get Your Reading Glasses On”**

Other important sources of information you need to add (and always keep handy!) are resources to help you in your everyday activities of being an election coordinator in addition to this manual. There are four (4) other main resources you will find invaluable:

**1. ELECTION LAWS OF ARKANSAS AND CONSTITUTION OF THE STATE OF ARKANSAS OF**

**1874** by Lexis Nexis issued by the Elections Division of the Arkansas Secretary of State's office. There is a new revised edition produced every two years after the legislature meets with amended and new laws passed during the previous odd year legislative session. This is the bible of all election law statutes, and also includes the Constitution of the State of Arkansas of 1874.

**2. COUNTY BOARD OF ELECTION COMMISSIONERS' PROCEDURES MANUAL** prepared and

provided by the SBEC for the CBEC members. This manual is revised every two years prior to the even year election cycle. The SBEC will conduct mandatory in-person election commission training to election commissioners prior to the preferential primary each election cycle.

**3. STATE OF ARKANSAS TRAINING GUIDE AND CHECKLIST FOR POLL WORKERS** prepared

and provided by the SBEC as well. This guide is also revised every two years. The SBEC will conduct "TRAIN THE TRAINER" training to provide counties with at least two (2) approved trainers who train the numerous poll workers within each county.

**4. RUNNING FOR PUBLIC OFFICE FOR CANDIDATES** is provided for candidates seeking

political office to help them comply with election laws, filing deadlines, and handling campaign financial reporting. The SBEC, SOS, and the Arkansas Ethics Commission combine to publish this guide on all the details of running for political office in an honest, fair, and financially responsible manner. As all other publications, it is revised and published every two (2) years after the odd year regular legislative session ends.

All five (5) publications work with each other, but each has its own unique point of view, and all are invaluable at your fingertips when planning and implementing an upcoming election.

### **“Meet With Your County Polling Site Election Judges”**

Depending on your county, main polling site leaders are called by different names and titles.

Some counties may call them election judges, precinct judges, contact judges, poll captains, etc.

For the purpose of this manual’s narrative, election judges will be used as they are referenced as such in the other aforementioned manuals.

Your election judge is the key to having a successful county polling site. In most cases, they are the key to help recruit fellow poll workers. With many counties at present using vote centers, it isn’t as important to have poll workers living in the precinct where the polling site may be located as it was in the past. It is important to recruit a polling site team that understands the importance of their duty and task and can get along with each other even though they may have different political views. Working an election is a long, tedious day, so having a team that gets along and can cooperate with each other with a sense of civic duty makes the day go by much smoother and faster. It is mandatory to have at least four (4) workers per polling site (one election judge, two election clerks, and one election sheriff). The state will compensate up to six workers and possibly more depending on size of the polling site for primary elections.

Counties vary on how many polling sites and election judges they have depending on population and sometimes geographic reasons. As an example, Independence County with a population of over 36,000 has twelve (12) Election Day polling sites and two (2) early vote sites in comparison to Saline County with over 108,000 has twenty-two (22) Election Day polling sites

with four (4) early vote sites. Meeting with your election judges individually or as a small group, depending on the size of your county, will go a long way in developing a team you can depend on during Early Vote and Election Day. Many of the topics you need to talk to your election judges about are:

\*Poll Worker recruitment

\*Election materials

\*Polling site location

\*Training options

\*Handicap accessible barriers

\*Documentation requirements

\*Voter turnout forecast

\*Voting equipment operation

\*Polling site layout

\*How to process voters

\*And More.....

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# ELECTION BUDGET

*County financial budgets in Arkansas are based on a calendar year (January through December)*

*Preparation to submit county election budgets to county quorum court budget committee usually begins every August.*

**A.C.A. §7-5-104, 7-4-123**

## **TASK OVERVIEW AND RESPONSIBILITY:**

The CBEC, along with input from the CC and Coordinator, should prepare an adequate election budget to fund elections each year and submit to the Quorum Court budget committee or other designated county official for funding consideration. This should be a yearly task rather than an election year or off-year election cycle.

**IT IS VERY IMPORTANT TO KNOW HOW ELECTIONS ARE FUNDED IN YOUR COUNTY. HAVING ADEQUATE FUNDING ASSURES HOLDING ELECTIONS. HAVING FREE, EQUAL, AND LAWFUL ELECTIONS THAT COMPLY WITH THE UNITED STATES CONSTITUTION, LAWS OF THE UNITED STATES, THE ARKANSAS CONSTITUTION, AND THE STATE LAWS OF ARKANSAS IS CRITICAL.**

## **PREPARING A BUDGET:**

If you are unfamiliar with this task, contact the CC to ask how previous elections have been funded. Most Arkansas counties have a dedicated election budget set aside in the County General Fund of the overall county annual budget. Some smaller counties may have their election budgets within the CC budget. If you are unsure in your county, check with the CBEC, CC or county judge.

Overall, your biannual party primary elections including runoffs and special state district-wide and state-wide elections will be reimbursed by the SBEC for all eligible election expenses. However, not every expense will be reimbursed by the SBEC. **One expense NOT COVERED is the election coordinator pay.** Contact SBEC for all eligible expense requirements.

November general election costs are to be paid for by the counties. Any special stand-alone school or municipal elections are paid by the respective entity.

No matter who is paying for the election, the election budget should reflect and anticipate ALL ELECTION EXPENSES regardless of who is funding the election.

The election budget estimate should include without limitation at least the following cost of:

- The salaries and expenses of:
  - Full-time employees with positions relating to elections, and any additional permanent, temporary, seasonal or part-time employees to include without limitation
- Poll workers (election officials)
- Contract labor
- Voting equipment
- Office equipment
- Office and election supplies
- Election materials/signage
- Postage/maillings
- Advertising, publication, audiovisual costs
- Maintenance of equipment/space
- Travel/rental vehicles
- Meeting/training/meal expenses
- Dues & memberships
- Utilities
- Insurance (including workers compensation, risk management)
- Computer software and support
- Professional fees
- Any taxes
- Any other direct and indirect expenses not covered above

**NO OUTSIDE FUNDING is allowed** – CBECs are prohibited from accepting private funds or any funding outside of government sources in the State of Arkansas or the United States. A.C.A. 7-5-104 (d)(1).



# VOTING EQUIPMENT ACQUISTION, MAINTENANCE & STORAGE

A.C.A. § 7-1-101, 7-5-301, 503, 528, 532, 606

## **PURCHASE AND SET-UP:**

The Secretary of State initially selects the county's voting equipment from qualified and approved voting equipment vendors. The equipment is then examined and approved by the SBEC. Then each individual county quorum court approves a resolution accepting the voting equipment as their approved voting equipment. SOS then serves as the official purchaser of the voting equipment and serves as liaison between the vendor and the county.

All voting equipment used in elections for federal office shall comply with the requirements of the federal Help America Vote Act (HAVA) of 2002. Currently, Election Systems & Software (ES&S) of Omaha, Nebraska is the approved vendor for the State of Arkansas's voting equipment and software.

Every county is required by law to have a voting system consisting of one of the following:

1. Voting machines with at least one (1) voting machine per polling site accessible to voters with disabilities;
2. Paper ballots with an electronic vote tabulating device at each polling site and at least one (1) voting machine per polling site accessible to voters with disabilities;
3. Paper ballots with an electronic vote tabulating device at a central counting location and at least one (1) voting machine per polling site accessible to voters with disabilities; or
4. Paper ballots counted by hand and at least one (1) voting machine per polling site accessible to voters with disabilities.

A combination of an electronic marking device (Express Vote utilizes a touchscreen that displays an electronic ballot and prints out on paper) and the electronic vote tabulating device (DS200) either at the precinct or at a central counting location is considered to be a voting machine. The voting machine has a voter-verified paper ballot audit trail.

**MAINTENANCE:**

Once the initial yearly (or mutually agreed upon) maintenance agreement of the approved voting equipment expires, then the county is responsible for maintaining the maintenance agreement on their terms with ES&S. SOS is only responsible for the initial first year agreement.

It is the county's responsibility to contact ES&S when a machine malfunctions or needs repair of some kind. ES&S has technicians that travel the state and will put you on a repair schedule.

**STORAGE:**

The CBEC shall have the care and custody of all voting machines and all electronic vote tabulating devices while not in use. Also, the CBEC shall be responsible for the proper preparation, use, maintenance, and care of the voting machines and all the electronic vote tabulating devices during the period of time required for elections.

Like all county electronic equipment, all voting equipment should be kept in large enough space to accommodate the voting equipment in order to set-up equipment to do logic and accuracy testing and public testing. It should be secure, climate-controlled, and easily accessible. Space should have either ramp walkways, elevators, or loading dock capabilities for ease of delivery and return of equipment during elections.

If a CBEC does not have funds for storage facilities outside of county-owned property, the CBEC needs to work with their respective county judge for proper storage facilities and options.

# TAKE INVENTORY

A.C.A. § 7-5-301, 503, 606

Before every election, it is very important to inventory everything in your election office headquarters including all voting equipment, election polling site materials, and other office equipment and supplies needed to operate the election process. All election related items are county-owned and may not necessarily be on the county inventory asset list (*you might double check what your county's minimum dollar inventory list value is*), it is a good practice to always know what you have on hand before the election process starts to give you time to reorder and produce anything you may need for the upcoming election and provide transparency to the public if ever asked.

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**FIRST THING YOU ALWAYS MUST DO** is determine how many election media thumb drives you need for any upcoming election, package them up, and return to ES&S. This needs to be done several weeks in advance. Their address is:

Election Systems & Software

1217 Digital Dr., Suite 160

Richardson, TX 75081

1-877-377-8683 (877-ESS-VOTE)

Neglecting to send your media thumb drives promptly may delay you receiving new media back for the next election. If you need extra media thumb drives, you can rent them from ES&S if available. ES&S keeps an inventory of thumb drives sent, if not returned within a reasonable amount of time ES&S will charge the county for the rental thumb drives which is not a reimbursable expense from SBEC in preferential primary and runoff elections.

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## Best Practices

1. Have adequate, climate-controlled, and secured office space to house your election headquarters and equipment storage. If not, have CBEC members and you visit with the county judge who oversees all county buildings and facilities to see if a better plan can be worked out. In some counties, you may need to include the County Clerk in the conversation.

2. Ideally, the additional space would include a big enough training area for poll worker training because having all voting equipment and supplies readily available makes for better training.
3. Having plenty of power outlets is important for voting equipment maintenance and testing.
4. If you can't afford durable shelving units and worktables, see if the county maintenance crew can build you shelves on existing open walls and build worktables.
5. Always take inventory of your supplies and signage needs early to have ample time to get new supplies or printed election materials. Especially since we live in a supply demand shortage world. Also, if you have voting equipment maintenance issues, contact ES&S early on. SOS maintains a maintenance contract on all current voting equipment in Arkansas.

## INVENTORY LIST EXAMPLE *(not all inclusive)*

### **ANYWHERE COUNTY INVENTORY EQUIPMENT & SUPPLY LIST.....Date \_\_\_\_\_**

<b><u>VOTING EQUIPMENT</u></b>	<b><u>ELECTION SUPPLIES</u></b>	<b><u>OFFICE EQUIPMENT &amp; SUPPLIES</u></b>
___ExpressVotes	___Voting Booths	___Office Chairs
___DS200s	___Ballot Stock (14, 17, 19)	___Office Desks
___ExpressPolls (Pollbooks)	___Ballot Boxes	___Work Tables
___ExpressPoll Printers	___Stub Boxes	___Shelving Units
___Electionware Laptop	___Seals	___File Cabinets
___Electionware Printer	___"VOTE HERE" Signs	___Copier
___PowerProfile Laptop	___Thermal Print Paper	___Office Computers/Laptops
___Ballot on Demand Printers	___100' String/Tape	___Office Printers
___BoD Laptops	___Tape for hanging signage	___Office Scanners
___Keys (to open voting equip.)	___Sticky finger	___Copy Paper
___Machine Cleaning Kits	___Polling Site Transport Items	___Copy Colored Paper
___Power Cords	___Provisional Envelopes	___Print Labels
___Power Strips	___Spoiled Ballot Envelopes	___Moving Dollies
___	___Abandoned Ballot Envelopes	___
___	___	___
___	___	___
<b><u>FORMS</u></b>		
___Precinct Voter Registration List	___List of Voters Sign-In Forms	
___Voter Registration Application Forms	___American with Disabilities Act (ADA) Signs	
___List of Provisional Voters	___Poll Watcher Rights and Responsibilities Signs	
___Notice to Provisional Voters	___Must Show Photo ID Signs	
___List of Persons Assisting Voters	___How to Vote Signs	
___Spoiled Ballot Affidavit	___Election Integrity Signs	
___Voter Complaint Forms	___Crossover Voting Signs	
___Abandoned Ballot Log	___Chain of Custody Forms	
___Electioneering Notices	___	

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# POLLING SITE SELECTION AND/OR CHANGES

*Legal Deadlines – 60 Days Prior to Preferential Primary or General Election  
30 Days Prior to Runoff Elections or Other Elections*

**A.C.A. § 7-5-101, 7-5-418**

## **TASK OVERVIEW:**

The CBEC must designate a polling site for each precinct in the county. A polling site may serve two (2) or more precincts or parts of precincts. Picking and locating your various sites should be a high priority of the first things you should do, months ahead of the election, despite the much shorter legal deadline to have those locations locked in and secure for election day(s).

## **TASK'S RESPONSIBILITY:**

The CBEC requires a **UNANIMOUS** vote of the members present at the meeting to select or change polling sites.

## **DEADLINE DATES FOR POLLING SITE SELECTION AND/OR CHANGES:\***

Preferential Primary 60 Day Deadline –	January 5, 2024
General Primary Runoff 30 Day Deadline –	March 3, 2024 (Sunday), March 4
General Election 60 Day Deadline –	September 6, 2024
General Election Runoff 30 Day Runoff Deadline -	November 3, 2024 (Sunday), November 4

*\*For all election dates and deadlines, review the 2024 SOS election calendar for more details*

## **FACTORS IN DETERMINING POLLING SITES**

1. All polling sites must be in strategic and convenient locations to serve the precincts and voters surrounding the site. Polling sites in Vote Center counties can serve all precincts within the county.
2. Election judges for polling sites in a precinct(s) can be a valuable resource in determining potential polling sites. They are familiar with buildings that are potentially available in their surrounding area.

3. All polling sites shall meet all requirements of the Americans with Disabilities Act (ADA), Help America Vote Act (HAVA), and Public Law 98-435. Title II of Public Law 101-336 regarding the accessibility of voting locations both inside and outside, for voters with disabilities.
4. Temporary ADA fixes during election day(s) can be made to meet all required laws.
5. All sites are recommended to be climate controlled.
6. All sites are encouraged to have adequate space for a better flow of voter traffic inside the site, as well as meeting all election laws and ADA requirements.
7. All sites should have adequate electrical power outlets, phone access, and broadband access for electronic pollbook accessibility.
8. All sites should have adequate, close-by parking places and easy access with safe entrances and exits.
9. All sites should have adequate security and safety features, especially if used as an early vote location.

#### **TYPICAL EARLY VOTE SITE vs. OFF SITE EARLY VOTE:**

In many Arkansas counties, the typical early vote site is in the county courthouse run by the county clerk's office. The county clerk has total responsibility for the operation and conduct of early voting if conducted in the courthouse (or in a county facility that may be within easy voting accessibility of the courthouse).

The CBEC may decide to hold early voting at additional polling sites during the same time periods outside county clerk's offices. This must be determined by a unanimous vote by the CBEC members present and must notify the county clerk within ten (10) days of the decision. The CBEC will be responsible for conducting early voting at any site outside of the county clerk's designated location.

If the CBEC decides to hold an off-site early vote site, the county clerk may choose not to hold early voting within the office of the county clerk at the courthouse. By mutual agreement of both entities, the CBEC may take responsibility of operating all early voting location(s).

In both instances, the county clerk is responsible for maintaining voter registration and providing prepared pollbook and PVR lists.

#### **REIMBURSEMENT COSTS:**

To be reimbursed for a polling site facility fee for use of their building, a county must provide the SBEC with a copy of an invoice from each polling site facility. Reimbursement is a maximum of \$40 per facility per day for early vote facilities to a maximum of \$4,000 per county in a



primary/primary runoff/special called election from the Governor. Polling sites on election day are also reimbursed \$40 per day.

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# RECRUITING & SELECTION OF POLL WORKERS

*Legal Deadlines – Selection of Poll Workers for All Elections Must Be Done At Least Twenty (20) Days Before Each Election.*

**A.C.A. § 7-4-107, 6-14-106**

## **TASK OVERVIEW:**

The CBEC must select and appoint a sufficient number of election officials for each polling site and appoint absentee clerks at least twenty (20) days before the election. This is a recommended task that should be done in conjunction with polling site selection. Since recruiting workers has become more challenging, knowing you have a staff ready to go gives you more time to recruit others in case you experience having to replace workers for a variety of reasons later on.

Each polling site must have a minimum of two election clerks, one election judge, and one election sheriff, for a total of four (4). The election judge will serve as the supervisor of the poll.

In school elections only, the law requires one (1) election judge, one (1) election sheriff, and as many additional election officials needed as necessary for the efficient administration of elections at each polling site.

## **RESPONSIBILITY TO COMPLETE THE TASK:**

The CBEC is responsible for the approval of the selection of election officials with input from the election coordinator and polling site election judges. The CBEC has the responsibility of supervising all election officials.

## **POLL WORKER QUALIFICATIONS:**

An election official must be:

1. A qualified elector of the State of Arkansas;
2. Able to read and write the English language;
3. A resident of the precinct where the polling site represents (if a non-vote center county), if a county is a vote center county, then any resident may serve throughout the county. If a resident in a non-vote center county does not live in their respective polling site area, the CBEC by unanimous vote, can approve a potential election official to work at any other polling site's location; and
4. Must attend election training coordinated by the SBEC.

Poll worker may not:

1. Be found or pled guilty or nolo contendere to the violation of an election law of the state;
2. Be a paid employee of a political party;
3. Be a paid employee of a candidate for office on the county's ballot;
4. Be a candidate for an office to be filled at an election while serving as a poll worker;
5. Be married to or related within a second degree of consanguinity to a candidate running for office in the election if an objection is made to the CBEC within ten (10) days after the list of election officials is posted; or
6. Be the spouse of member of the CBEC, or be the county party chairman or his or her spouse, if an objection is made to the CBEC within seven (7) days after the list of officials is posted.

#### **REIMBURSEMENT ITEMS NEEDED**

1. All election officials are compensated at least the prevailing state or federal minimum wage whichever is greater (2022 was \$11.00 hour). Workers may work as a volunteer without pay if they sign an affidavit stating that fact.
2. Election officials using private vehicles for delivery of election materials and/or election equipment may charge the state's prevailing rate per mile (2022 was \$.52 per mile).
3. Election officials will be paid for attending election training prior to the election (at least \$35). All workers must work the election in order to receive training pay.
4. The SBEC will provide reimbursement for worker pay, mileage and training for preferential primary and general primary runoff elections. If the state calls for a special statewide election, that election will be reimbursable.
5. Counties will need to record and provide any documentation needed to help pay election officials in the County Reimbursement Request forms provided by the SBEC to be reimbursed.

***Best Practice: Election officials designated for working the polls and central count tabulation should represent both the majority and minority parties with the minority party having one (1) less than the majority party, with a minimum of two (2) election officials. A.C.A. 7-4-107 (b)(C)(ii)(iii)***

# BALLOT DRAW

*Legal Preferential Primary Election Deadline – 89 Days Before Election Day*

*Legal General Election Deadline – 72 Days Before Election Day*

**A.C.A. § 7-5-207, 7-7-305**

## **TASK OVERVIEW:**

Ballot draw is the process by which the order of candidates on the ballot is established. The names for the ballot draw come from the counties and the SOS's certified candidate list. The county clerk certifies candidates that filed for county and below political positions. The SOS certifies candidates who file for federal and district statewide positions in addition to all nonpartisan judicial positions. The order of names for candidates is randomly selected. A ballot draw shall be held at each election with candidate names being selected except for runoff elections. Those names will remain in same order of the previous election.

## **IMPORTANT REMINDER ON MEASURES/QUESTIONS/MILLAGE/SALES TAX ISSUES/ETC.**

Even though these are ballot items, you don't draw for positions. Now is the time to gather those items to use to layout your final ballot design. With the law reducing the number of months to hold special elections to two main months, it is extremely important to check and double check with schools, cities, counties, and other outside entities on potential ballot items before the ballot draw.

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**PLEASE NOTE THE LEGAL DEADLINES ARE DIFFERENT BETWEEN THE PRIMARY AND GENERAL ELECTION BALLOT DRAW. THIS ONLY OCCURS IN PRESIDENTIAL ELECTION YEARS FOR THE PRIMARY ELECTION. ALL OTHER BALLOT DRAW TIMES ARE THE 72 DAY DEADLINE STATED IN STATE ELECTION LAWS.**

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## **RESPONSIBILITY TO COMPLETE THE TASK:**

The CBEC is required to conduct the ballot draw in a public meeting (CBEC's first required meeting of the election process). Preparatory tasks can be delegated to an election coordinator.

## **DEADLINE FOR BALLOT DRAWS**

March 5, 2024 Preferential Primary – December 7, 2023 (Thursday)

November 5, 2024 General Election – August 25, 2024 (Sunday), August 26 (Monday)

## **PREPARATION FOR BALLOT DRAW:**

1. Provide written notification to the county political party chairs ten (10) days before ballot draw stating when and where ballot draw is to take place;
2. Determine the date by which documents must be delivered to the newspaper(s) of general circulation used to provide the notice of ballot draw;
3. Ballot draw is to be published not less than three (3) days prior to ballot draw stating when and where the ballot draw will be held; and
4. Prepare materials necessary for the draw.

## **SBEC Recommended Preparations:**

1. Print each name out on paper slips of each contest and combine all names into a container, and
2. Create a list of each race for which the ballot order must be established that can be used to document the selections established.

OR

3. Create a candidate list of each race for which ballot order must be established;
4. Use numbered balls or coin-shaped objects in a container; and
5. Use a number (1, 2), (1, 2, 3), etc. then draw a number for the name on the created list corresponding to the position they have drawn for. Write the number next to the name on the created candidate list to indicate what order they will appear on the ballot.

*OR UTILIZE ANOTHER RANDOM SELECTION PROCESS METHOD OF YOUR CHOICE*

## **CONDUCT OF THE BALLOT DRAW:**

1. Whatever selection method you use, establish the drawing order you want to use (submitted certified name list, candidates who are present to draw first, etc.);
2. Allow interested parties or the CBEC members to alternate drawing names;
3. Each name and position should be read aloud when drawing;
4. Keep your list of names in order as they are drawn to determine the order on the ballot.
5. Continue drawing until the ballot list is complete; and
6. Have candidates or candidate's representatives review and verify the accuracy of the candidate's name, race, and position before the close of the meeting.

**SAMPLE OF BALLOT DRAW ADVERTISEMENT AND/OR NEWS RELEASE**

<p>THE PUBLIC IS INVITED TO ATTEND AN</p> <p><b>ELECTION BALLOT DRAW</b></p> <p>FOR THE ANYWHERE COUNTY 2024 PREFERENTIAL PRIMARY AND NONPARTISAN JUDICIAL ELECTION CANDIDATES</p> <p>Wednesday, December 20, 2023 at 5:30 P.M.</p> <p>At the Anywhere County Courthouse on the Square, Elsewhere, AR</p> <p>The Anywhere County Board of Election Commissioners</p>
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**NEWS RELEASE**

**FOR IMMEDIATE RELEASE**

FOR MORE INFORMATION CONTACT: Anywhere County Election Coordinator at 000-000-0000

The Anywhere County Board of Election Commission will hold a ballot draw for candidates' names and positions on the March 5, 2024 Preferential Primary and Nonpartisan Judicial ballot on Wednesday, December 20 at 5:30 p.m. at the Anywhere County Courthouse in the Election Headquarters Office on the downtown square in Elsewhere, AR.

The ballot draw is a statutory election requirement to determine how names will appear on an election ballot.

All candidates, any candidates' representatives, and the general public are invited to attend and witness the ballot draw. Notice of ballot draw must be published in a newspaper of general publication at least three (3) days before the ballot draw. CBEC must also give written notice of ballot draw to the chairs of the county political party committees, at least ten (10) days before the ballot draw.

*These formats can also be used as paid or public service announcements on radio or other social media outlets.*

**WRITE-INS ARE NOW ELIMINATED FROM BALLOT – ACT 305**

The 2023 legislative session passed Act 305 in A.C.A. §7-5-202, 208, 525, 610, 613, 7-7-204, 7-10-103 (regular ballots) and 6-14-11 (schools) eliminating the write-in process for candidates. Therefore, there is no provision to allow a write-in line on the ballot. Candidates must file as a written name with a party affiliation or as an Independent.

**REIMBURSEMENT:**

If you publish an advertisement for your ballot draw meeting, it is reimbursable if it is a state-funded election. Have the newspaper publishing company provide you a proof of publication(s) (affidavit) and invoice(s) to use it for completing your reimbursement expense report to the SBEC for payment.



# HOW TO HANDLE UNOPPOSED CANDIDATES

*Legal Deadlines – When all other ballot candidate information is submitted for ballot preparation stage after ballot draw*

**A.C.A. § 7-5-207, 7-7-304, 7-3-104, 6-14-111**

## **TASK OVERVIEW:**

Determine how unopposed candidates are listed (or not listed) on preferential primary and general election ballots.

## **RESPONSIBILITY TO COMPLETE THE TASK:**

The CBEC is responsible for making certain all ballot information is submitted for ballot preparation. Preparatory tasks can be delegated to an Election Coordinator and/or County Clerk staff.

## **PREPARATION IN HANDLING UNOPPOSED CANDIDATES:**

### ***Primary Election Ballot:***

When only one candidate qualifies for a particular office or position, the office or position and the name of the unopposed candidate **SHALL** be printed on the political party's ballot in primary elections.

Unopposed candidates for mayor, governor, circuit clerk, and non-judicial state elected officials are **NOT LISTED SEPARATELY** on the primary ballot. The separate listing for those offices will be **for the November general election ballot only**.

A candidate who runs unopposed for a position on either a party-political county committee, school board, and nonpartisan judicial position is **OMITTED** from the primary election ballot and the filed candidate is declared and certified elected.

### ***General Election Ballot:***

For general elections, only the names of unopposed candidates for the office of **MAYOR, GOVERNOR, CIRCUIT CLERK, and NON-JUDICIAL STATE ELECTED OFFICIALS\*** are placed on the general election ballot separately along with the other contested races and the votes for each contest shall be tabulated as in all other contested races.

*\*Non-Judicial State Elected Officials are candidates for: U.S. Senator, U.S. House, State Constitutional Offices, State Senator, and State House of Representatives.*

In a general election, in which there are unopposed candidates other than those named above already on the ballot, the **phrase “UNOPPOSED CANDIDATES” without names** shall appear on the ballot where a vote may be cast for all unopposed candidates. These unopposed candidates can be declared and certified elected.

# BALLOT LAYOUT & BALLOT ORDERING

*Deadlines – For ES&S Counties, Contact ES&S about their various deadlines through the Portal, they publish various deadlines beforehand to give you ample time to do ballot prep and ordering*

**A.C.A. § 7-5-208, 601, 602**

## **TASK OVERVIEW:**

To ensure all candidates and/or issue information to be voted on in an election are properly transferred from all different initial sources (county clerk, SOS, schools, etc.) to the ballot layout itself in a concise, accurate manner.

## **IMPORTANT REMINDER ON PRECINCTS:**

It is imperative to know while you layout your ballot faces, that by law SOS requires election results by PRECINCTS, not by polling sites. The CBEC, county clerk office, and election coordinator all need to be aware of this before starting the ballot layout process. **If there are precinct changes that need to be made refer to ACA § 7-5-101 before making precinct changes, and work with the CBEC and the County Clerk's office to coordinate the effort.**

At the same time you order ballots and the different ballot stock needed (election ballots, provisional ballots, numbered ballots for duplication purposes, etc.), you should determine all ballot sequences, ballot splits, and number of ballots needed for election day and absentee mailings and distributions.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for the accurate layout of each ballot. Many times, the actual layout of the ballot is a coordinated task between the CBEC, Election Coordinator, and County Clerk's office.

## **DEADLINES:**

For counties depending on ES&S for actual layout services, ES&S provides a deadline prior to each election to send in ballot information so they can produce the ballot in an orderly timeframe.

For PYO counties, work on layout of the ballot can begin immediately after political filings end. These counties do their own ballot layout production and handle printing of their own ballots.

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**NORMALLY ES&S WILL GIVE YOU SPECIFIC DEADLINES EACH ELECTION BUT AS A RULE OF THUMB, THEY LIKE TO HAVE BALLOT INFORMATION IN HAND AT LEAST 69 DAYS IN ADVANCE OF ELECTION DAY. ALWAYS DOUBLE CHECK WITH ES&S BEFOREHAND IF YOU DON'T HEAR FROM THEM ON THEIR DEADLINES, AND ALWAYS SEND IN YOUR ON HAND ELECTION MEDIA THUMB DRIVES AT LEAST 90-120 DAYS IN ADVANCE OF ELECTION DAY.**

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## **PREPARATION OF BALLOT LAYOUT AND ORDERING:**

1. Ensure the results and order of the contested races of the ballot draw information are correct.
2. For counties using ES&S for layout services, information loaded into the ES&S Web Portal is entered completely and accurately for both layout and ordering.

## **IMPORTANT TIPS WHEN ORDERING:**

1. Take inventory of ballot card stock remaining from last election. Anticipate the number of ballots needed for the next election and order more than you need to be prepared for higher than anticipated turnout that could create a ballot shortage issue at your polls.
2. Based on the number of races and issues on your election ballot, always determine what length of ballot is needed whether it is 11, 14, 17, or 19 inch stock. Not having the correct length of ballot card stock at the polling site will cause the ballot to be rejected by the ExpressVote.
3. Always store remaining ballot stock in a climate controlled, dark place. Ballot card stock can be spoiled by not being stored properly causing the stock to become unreadable and not being accepted by the ExpressVote and/or DS200.

# CREATING THE BALLOT

*Deadlines – For ES&S Counties, Contact ES&S about their various deadlines through the Portal, they publish various deadlines beforehand to give you ample time to do ballot prep and ordering*

## **THIS SECTION IS FOR COUNTIES WHO**

## **PREPARE BALLOTS USING ES&S PORTAL SERVICES**

**A.C.A. § 7-5-208, 601, 602**

### **TASK OVERVIEW AND RESPONSIBILITY:**

The CBEC has the responsibility to ensure the ballot is designed, created correctly, and able to be read by the DS200 and DS450. Those tasks are usually assigned to a county clerk staff member, election coordinator or staff member, CBEC member, or another outside source experienced with ballot creation.

### **DEADLINES:**

**Ballot preparation should begin as soon as possible. ES&S will open the portal at least 120 days before an election. You can print reports or ask the County Clerk to provide reports (such as Precincts with Districts and District with Precincts) from PowerProfile to begin preparing for the ballots and creating all races in the proper precincts before the portal is opened. When the portal opens, you can begin entering candidate and contest information in the portal.**

Once ballot draw has occurred, you can change the candidate order in the portal, or email your ES&S coder with the correct candidate order.

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**THE FOLLOWING STEPS ARE ONE WAY TO START CREATING YOUR BALLOT THROUGH THE PORTAL. These steps work when the person entering the data into the portal ALSO HAS ACCESS to Power Profile. If not, please contact ES&S Technical Services at 1-877-377-8883 or contact your assigned SOS election coordinator for further assistance on proper steps.**

### **ABBREVIATED BALLOT CREATION STEPS FOR ES&S COUNTIES:**

**Start in POWER PROFILE, creating the framework for the ballot**

In toolbar, go to MODULE, Elections, then New Election

Enter Election Name, Abbreviated Name, Election Type, Election Code

- dates will come from the SOS election calendars, only assign parties during primary elections

Political Subdivisions

- mainly use during redistricting, add new precinct parts, move district lines, choose what you want, hit SAVE

Polling Places

- always check "Select Alternate Polling Places

Roster Splits

- split by numbers and SAVE (can pull splits from DATASCOUT, can double check with ONE MAP

Ballot Styles, Insert Short Description (Ballot Style Name – 1.1.01, etc.) Ballot Type is always REGULAR – Pull precinct part for that ballot style, SAVE

- during a primary election, short descriptions will need to set up for Republican, Democrat and Nonpartisan.....example: Rep 1.1.01; Dem 1.1.01; NP 1.1.01

- Libertarian and Green parties still have to be set up with Nonpartisan Ballots

- ballot styles MUST match what we put into the ESS Portal

Early Voting Sites

- check YES, dates and times

Vote Centers (Election Day)

- check YES or NO, dates and times

Poll Times

- make sure all Election Day poll times are set from 7:30 am to 7:30 pm

After the election framework is setup, run the Ballot Styles Not Created Report to ensure that you added all of the available precincts for your particular election

The framework is then sent to ESS

## ESS PORTAL

***Once framework is completed, entering ballot data is next crucial step.....***

Go into the portal and set up the ballot styles like you did when setting up the election.

Enter all the contested race info first before Ballot Draw to save some time.

Once the ballot draw has occurred, sort the names in the selected ballot drawing order by dragging the names to the appropriate ballot position.

You will have to fill out the Express Poll portion, hit SAVE but DON'T SUBMIT until you have proof and proofed the ballot info and layout, then SUBMIT.

ES&S will take your ballot information, then will create the ballots. Proofs will be sent back to you which you will download to proof which is covered by the Ballot Proofing section on pages 41-45. At the time ballot proofs are sent back to your county, ES&S will send two (2) copies of a cross-reference sheet as well (Precinct by District and District by Precinct reports) to help verify ballot split precinct information is correct and that precinct has the correct ballot style.

\*Precinct (column A) displays the precincts and splits from the voter registration data

\*Electionware ballot (column C) lists all EW ballot to be assigned to the precincts

COPY and PASTE the ballot from column C into the row(s) in column B for the precinct assigned to that ballot. NOTE: It is important to copy and paste to ensure that assignment is made correctly.

**WHEN FINISHED, SAVE DOCUMENT AND EMAIL BACK TO [dataconversion@essvote.com](mailto:dataconversion@essvote.com)**

About two (2) days later, you should receive your sample data.

After you receive the SAMPLE data from ES&S and test it, you will need to go into the portal and sign off on it, then SUBMIT. You will do the same thing with the FINAL DATA (the FINAL DATA is what you load on to all the electronic poll tablets for the election.).

In the meantime, ES&S will upload the ballots to the SFT site (connected to CONNECT). Once they are proofed, you will need to print a copy of each one of them and WATERMARK them with "SAMPLE" across them. Then upload to Voter View (*see pages 71-72*). You will also want to print out each ballot and give to Land Records at the Clerk's office to record into BIS. You will need two (2) bound copies of the sample ballots to have in the office and two (2) copies for each polling site location in your county or some alternate form of identifying eligible registered voters in your county in case electronic tablets go down for some reason.

**IF YOU HAVE QUESTIONS ABOUT HOW TO CORRECTLY ENTER  
INFORMATION INTO THE PORTAL, PLEASE CONTACT ES&S OR SOS  
FOR PROPER INSTRUCTIONS:**

**ES&S – CUSTOMER SUPPORT – 877-377-8683 (877-ESS-VOTE)**

**SOS – YOUR SOS ELECTION COORDINATOR – 800-482-1127**



# BALLOT PROOFING

*Legal Deadline – Time allowed to proof ballots to have absentee ballots ready for distribution 47 days before an election.*

**A.C.A. § 7-5-209**

## **TASK OVERVIEW:**

To have ballots 100% compliant and accurate. Must have absentee ballots ready to be delivered to the County Clerk no later than 47 days before an election.

## **TASK RESPONSIBILITY:**

The CBEC is responsible to provide usable ballots that are 100% accurate and compliant to be used on Election Day(s). The task should be a team effort between the CBEC, county election coordinator, County Clerk's office, and ES&S to ensure ballots are error-free and ready for print.

## **DEADLINES FOR ABSENTEE BALLOTS DELIVERY (47 Day Delivery):**

March 5, 2024 Preferential Primary Election – Thursday, January 18, 2024

November 5, 2024 General Election - Thursday, September 19, 2024

## **RUNOFF ELECTIONS** (*Delivery for Absentee Ballots is 10 Days prior to the Runoff Election*)

April 2, 2024 General Primary Runoff (if necessary) – March 23, 2024 (Sat.), March 25

December 3, 2024 General Runoff (if necessary) - November 23, 2024 (Sat.), November 25

## **PREPARATION FOR BALLOT PROOFING:**

1. Once a ballot layout is ready for proofing, check and double check all races, issues, and any unopposed candidates against the original documents from SOS, County Clerk, schools, etc. Have others help you repeat the same process.
2. Once you and your team are confident with the content and order, start a spelling check of each name, issue, etc. Use varied methods to check spelling, one is to read backwards. Have your team repeat this process.
3. Once that is completed, do one more last check through every ballot face.

4. In the general election, if ES&S does your ballot layout, statewide amendment and initiative issues are provided to ES&S by SOS. It is still a good idea to double check them for mistakes.

**PROOFREADING TIPS:**

- a. Proofread backwards
- b. Place a ruler under each line as you read it
- c. Proofread at the time of day when you are most alert
- d. Proofread aloud
- e. Ask others to proofread
- f. Point at words as you read them or say aloud
- g. Take your time to proofread
- h. Focus on each word
- i. Avoid any distractions while you proofread

**IF AN ERROR OR OMISSION IS FOUND AFTER BALLOTS ARE PRINTED:**

***Act 308 of 2023 has rewritten A.C.A. § 7-5-209 to handle errors and omissions.***

1. If an error or omission is found on the ballot, the CBEC shall in a public meeting announce the error or omission and immediately correct it or show cause why the correction should not be done.
2. ASAP, the CBEC shall correct a ballot error in which there is a misspelling or omission on the ballot of:
  - a. A contested race;
  - b. A candidate omitted from a race; or
  - c. An issue other than a school millage issue in which no change is proposed in the rate of the millage.
3. If an error cannot be corrected, the CBEC must determine by UNANIMOUS vote, that the error:
  - (A) Cannot be corrected prior to the conclusion of voting; or
  - (B) Is of a nature that:
    - i. It can be effectively mitigated; and
    - ii. The costs to the county do not justify the correction based on the:
      - \*Cost of correcting the error;
      - \*Disruption to the election process; and
      - \*Fiscal impact to the county.

Different applicable mitigation measures shall be implemented and used until the error or omission is corrected or the election concludes.

Errors in the rendering of a candidate's name shall be mitigated by:

1. Posting a notice on each ballot marking device or voting booth that:
  - a. Informs voters that an error is present on the ballot; and
  - b. Provides the correct rendering of the race including each candidate's name on the ballot as it should have appeared on the ballot and shall not identify the specific candidate affected by the error.
2. Provide a copy of the notice to the county clerk who shall include the notice in the materials delivered with all absentee ballots sent after the error is discovered.

Errors in the rendering of a ballot issue shall be mitigated by:

1. Posting a notice on each ballot marking device or voting booth informing voters there is an error on the ballot and provides the correct text of the ballot issue.
2. Provide a copy of the notice to the county clerk who shall include the notice in the materials delivered with all absentee ballots sent after the error is discovered.

Omission of a race or issue on the ballot shall be mitigated by:

1. The assignment of voters to another ballot style if another ballot style is available which has the same issues and races which should have been included on the ballot containing the error.
2. The CBEC can create a special error correction ballot that shall be provided to voters to allow voters to vote in the omitted race or issue contest.

A special error correction ballot shall be governed by:

1. The CBEC shall work with the county clerk to develop a list of voters affected by the error who require access to the special error correction ballot in addition to their assigned regular ballot.
2. Each voter who previously cast a ballot that did not include the race or issue omitted shall be contacted by the CBEC using any contact information provided in the voter's voter registration records.
3. Each voter who previously cast a ballot that did not include the race or issue omitted may cast the special error correction ballot.

When a special error correction ballot is in use, the poll workers shall:

1. Review the list of voters affected by the error when checking in a voter to the poll to vote.
2. Issue the special error correction ballot assigned to each voter identified on the list of affected voters.
3. Note each voter who cast a special error correction ballot on the list of voters.

4. Ensure each voter deposits the special error correction ballot cast as a regular ballot into a separate sealed ballot box or the emergency bin of the DS200 if no additional box is available.
5. Poll workers shall allow a voter to cast the special error correction ballot as a provisional ballot if no list of affected voters is available or if a voter believes he or she is entitled to vote in the omitted race but has not been identified on the list of voters affected by the error.
6. A voter who is eligible to cast his or her assigned ballot as a regular ballot and has not been designated as requiring a special error correction ballot may cast one as a provisional ballot while casting his or her regular ballot.
7. If a voter is also casting a provisional ballot for any reason not related to the error addressed by the special error correction ballot, the special error correction ballot shall be included in the same provisional envelope as the assigned ballot which is cast provisionally.

**New amended section 7-5-213 added concerns counting special error correction ballots**

The CBEC shall count all special error correction ballots cast as regular ballots under the following procedures:

1. The special error correction ballots shall be counted at the time designated in the notice of election for the canvassing and counting of absentee ballots on election day or, if still using at polling sites throughout election day, bring to central tabulating center on election night for hand counting.
2. The vote totals shall be included with the vote totals for the issue or race which appeared on the special error correction ballots.

The CBEC shall count all special error correction ballots cast as provisional ballots under the following procedures:

1. The special error correction ballots shall be canvassed at the time and location as other provisional ballots.
2. The ballot shall be counted if the voter was a qualified elector and cast the ballot for the issue or race that was the subject of the special error correction ballot, and the CBEC does not determine that the provisional ballot is invalid and should not be counted based on other grounds.
3. The provisional special error correction ballots that are approved to be counted shall be hand counted at the time of other provisional ballots and vote totals shall be manually included with vote totals for the issue or race which appeared on the special error correction ballots.

### **New amended section 7-5-214 added concerns candidate review of ballot content**

This new section is an addition to the proofing process from the candidate's review of their name, office they are running for, and precinct(s) the office is assigned to.

1. When a candidate completes the political practice pledge at filing for office, the candidate can provide an email address they can be contacted.
2. No less than forty-two (42) days before the election, the CBEC shall submit the following information by email to the candidate:
  - a. A sample copy of each ballot style for the county, or
  - b. A report generated from the ballot programming software which includes the following:
    - i. The name of the candidate as it appears on the ballot;
    - ii. The ballot contest that the candidate is assigned;
    - iii. The precincts or precinct parts that the race is assigned.

### **ADDITIONAL EXPENSES OCCURRING BECAUSE OF ERRORS**

If the ballot error occurs in a primary or primary run-off, and you submit to SBEC for reimbursement of election expenses, the total cost to correct the error will be an unauthorized request item. The county will have to pay all extra costs associated with correcting the error out of the county's election budget.

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# EXPRESSPOLL ELECTRONIC POLLBOOK SET-UP

## LOADING ELECTION FILES ON POLLBOOK

### **TASK OVERVIEW:**

To prepare the electronic pollbook for an election, there is a series of steps that must be completed to ensure the pollbook is functional once at the polling site and be able to communicate back and forth to the county clerk's office/election headquarters with the correct voter data and ballot information assigned to each voter.

### **FOR PROPER STEPS TO SET-UP AND LOAD YOUR EXPRESSPOLL**

It is highly recommended to follow ES&S ExpressPoll Electronic Pollbook Version 7.2.6.0 Administrator Training Guide v 1.1

Contact ES&S for further information:

**1-877- ESS-VOTE (877-377-8683)**

**[technicalsupport@essvote.com](mailto:technicalsupport@essvote.com)**

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# NOTICE OF ELECTION

*Legal Deadlines – First notice, at least eight (8) days before start of Early Voting*

*Second notice, at least five (5) days before Election Day*

**A.C.A. § 7-5-202**

## **TASK OVERVIEW:**

The Notice of Election is the official published notice to the public about upcoming elections: preferential primary, general primary runoff, general election, general runoff, school, or special election. The Notice of Election shall be published in a newspaper of general circulation within the county.

## **TASK RESPONSIBILITY AND PREPARATION:**

The CBEC shall have the responsibility of having the Notice of Election prepared and placed into the newspaper of general circulation.

Preparatory tasks can be delegated to the Election Coordinator.

### Minimum Information To Include In Notice of Election:

- a. The date of election
- b. The hours of voting
- c. The places and times for Early Voting
- d. All polling site locations
- e. The candidates and offices to be elected
- f. The time and location of the opening, processing, canvassing, and counting of ballots
- g. The location where lists of appointed election officials, deputy county clerks, and extra help hired to conduct election are posted
- h. Directions for filing a written objection to the service of any election official

## **DEADLINE DATES:**

Preferential Primary First Published **Deadline – Monday, February 12**

Preferential Primary Second Published **Deadline – Thursday, February 29**

General Election First Published **Deadline - Sunday, October 13**

General Election Second Published **Deadline - Thursday, October 31**

## **PREPARATION OF NOTICE OF ELECTION ADDITIONAL INFORMATION:**

### **SBEC Other Recommended Preparations:**

1. Begin the process of preparing the Notice of Election shortly after selecting the county's polling site locations and the public ballot draw of candidate ballot positions.
2. Determine how the Notice of Election is to appear in the newspaper whether as a legal advertisement or as a display advertisement. DO NOT RELY ON THE NEWSPAPER TO RUN YOUR NOTICE OF ELECTION AS A NEWS STORY. BUY THE ADVERTISEMENT.
3. If you do not prepare your own camera-ready copy of a Notice of Election, put all your information in at least some type of Word document to have all correct information and in the order you wish to have the information to appear.
4. Work with an outside source, whether it is a graphic designer or the local newspaper, to help you prepare the advertisement of the Notice of Election.
5. Make it clear in the Notice of Election everything a voter may need to help the voter make intelligent decisions in voting.
6. Approve an ad draft of what the newspaper has prepared for you before publication.

**Double check with your general circulation local newspapers that covers your county for deadlines to place advertisements and news media items before each election. The newspaper industry is constantly changing so what the deadlines were last election may be different the next election.**

## **REIMBURSEMENT ITEMS NEEDED**

1. After the preferential primary (and if a general primary runoff occurs afterwards), the SBEC will help reimburse a county with the costs associated with primary elections. The November general election and possible following runoff election is the county's financial responsibility.
2. The SBEC will reimburse the full cost of running Notice of Election advertisements.
3. In most cases, the County Clerk will receive the invoice of the paid advertisements ran. To get fully reimbursed for running Notice of Election advertisements, the invoice and an affidavit stating that the advertisement ran properly in the publication are both needed for the expense reimbursement report to be completed and sent to SBEC. A tear sheet (*copy of the actual newspaper copy*) of the advertisement is NOT an affidavit.

# NOTICE OF ELECTION

*(Alternate Header could be ELECTION PROCLAMATION)*

## **2024 Preferential Presidential Primary, This Side of the County School District, and Nonpartisan Judicial General Election**

**TUESDAY, MARCH 5, 2024**

**VOTING HOURS 7:30 a.m. to 7:30 p.m.**

The Board of Election Commission of Anywhere County pursuant to A.C.A. §7-5-202 and 7-11-205 does proclaim that said elections above will be held in Anywhere County on Tuesday, March 5, 2024.

To check your voter registration status and view a sample ballot, go to [voterview.org](http://voterview.org). Voters with address changes or questions related to voting eligibility please call the local county clerk at ----- office prior to going to vote during early vote or Election Day.

### **EARLY VOTE INFO (Location(s) and hours)**

### **ELECTION DAY POLLING SITE LOCATIONS and hours**

#### **RACES TO BE ELECTED**

#### **RACES TO BE ELECTED**

#### **SCHOOL RACES/MILLAGE/SPECIALS**

#### **Multiple Listings**

#### **Multiple Listings**

#### **Multiple Listings**

The opening, processing, and canvassing of absentee ballots will begin (as early as a week before Election Day) and counting will begin at 8:30 a.m. on Election Day at the Anywhere County central tabulation center located at.....

Final processing and counting of provisional ballots will be Monday, March 11 at Noon at the Anywhere County Clerk's Office located at .....

Total tabulation of all votes will begin as soon as the polls close at 7:30 p.m. at the Anywhere County central tabulation center located at.....

List of Early Vote and Election Day poll workers will be posted at least 8 days prior to Early Vote, and at least 8 days prior to Election Day. Any objection to workers can file a complaint at the Anywhere County Clerk's office.

**This notice is brought to you by the Anywhere County Board of Election Commissioners**

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A More Complete Sample Can Be Found on the SBEC Website at

[www.arkansas.gov/sbec](http://www.arkansas.gov/sbec) under

Forms & Checklists.

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# MEDIA RELATIONS

A.C.A. § 25-19-101 to 112

## **TASK OVERVIEW:**

Develop a positive relationship with people in the media in your county/media territory to gain their trust and respect for you and other election officials working in the election process. There will be times you will need to reach out for regular coverage but having great relationships will come in handy when a less positive occurrence may happen and you need fair and objective press.

## **TASK RESPONSIBILITY:**

CBEC needs to have great relationships, but the election coordinator is the day-to-day person the press will seek out the majority of the time. You want to build trusted relationships so media outlets reach out to you first with questions or information.

## **KNOWN DEADLINES TO MEET WITH MEDIA EACH ELECTION:**

Advertisement of ballot draw – at least 72 days before Election Day

Advertisement of public testing of voting equipment – at least 48 hours before public testing begins, and public testing must occur seven (7) days prior to Early Vote.

Public Notice of Election advertisement – at least eight (8) days before the start of Early Vote and second insertion at least five (5) days before Election Day.

Any called meeting of the CBEC, the media must be informed at least two (2) hours in advance in accordance with the Arkansas Freedom of Information Act (FOIA). Written minutes and audio recording of the meeting must be filed with the County Clerk.

Public announcements in any type of media are a great tool in addition to the paid advertisements you may pay for. Most media are required to run a certain amount of public service of announcements.

## **TIPS TO DEVELOPING GREAT RELATIONSHIPS:**

1. If you don't already know someone at each media outlet (newspaper, radio, television, local cable, etc.) seek out someone at each outlet and introduce yourself to them. If you

do already know someone, always take time to reach out before each election even if it is just to say a quick “hello.”

2. When you speak with the media, always be prepared to discuss the election process (any changes from the last election, new laws, changes in polling sites, upcoming poll worker trainings, etc.) and the environment of the election in your county whether it may be low key, or you have some “hot” races or issues on the ballot.
3. If you have good writing skills, prepare a news release in advance on what the readers, viewers, and listeners may need to hear about the upcoming election. Always include the who, what, when, where, why, and how in every story.
4. Give the media your cell number and have a good email address to share.
5. Always keep them informed about any important issues that may occur in between visits. Send them any information the public needs to know.
6. And ALWAYS, ALWAYS tell them the truth! Good media people will respect you more if you will always be upfront with them. If you have their trust, they can be helpful if a crisis occurs, and you need them to be your voice to the public. A bad media relationship can be stressful.

# PUBLICITY TOOLS

*There are no legal requirements to use any publicity tools or avenues. This is a best practice to help publicize your county's positive election preparation and process.*

## **TASK OVERVIEW:**

As stated, there is no legal requirement to use any other methods to publicize the election to the public other than current statutory requirements of Arkansas law. Some counties have taken steps to further educate the public through websites and social.

## **OTHER PUBLICITY CONSIDERATIONS:**

1. Your county government website or create a CBEC website
2. Create social media accounts and pages through various popular sources:
  - a. Facebook
  - b. Instagram
  - c. X (*formerly Twitter*)
  - d. Snapchat
  - e. Threads
  - f. Or other social media choices of your choosing
3. Voter text message programs
4. Link up with other associated local government partners to expand your reach

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# EMERGENCY PLANNING

*No legal requirement, but what if something happens?*

**A.C.A. § 7-5-101** – allows the CBEC to change a polling site in the event of an emergency.

## **TASK OVERVIEW:**

There is an old saying “No one knows what the next minute will bring.” This applies to elections as well.

Even though there is no legal requirement to have a written emergency plan, it is least something to think about because “What if something happens during an election day?”

What if someone drives a car into the polling site? What if a fire starts in your polling site? What if a pipe bursts and water is overflowing in your polling site? What about a gas leak? What if you have an emergency medical problem? What if someone starts a disturbance or makes threats at the polling site? If something happens, what will you do?

## **TIPS FOR EMERGENCY PLANNING:**

1. Prepare a phone number list of providers that may be of great service to you if something happens. Naturally, if it is a life-threatening situation, always call 911 first.
  - a. Fire Department (City/Rural)
  - b. Sheriff/Police Department
  - c. Water Department
  - d. Natural Gas/Propane Gas Provider
  - e. Electrical Power Provider
  - f. Ambulance Provider
  - g. County Office of Emergency Services
  - h. County Judge’s Office
  - i. County Road Department
  - j. Other(s)
2. Provide the list to all polling sites and also include all the CBEC members, election coordinator, and County Clerk’s phone/cell numbers on this list as well.

## **WHAT IFs:**

If you encounter having to move the polling site to another location for whatever emergency reason, here are some tips.

1. Inform the CBEC if they haven't been made aware of the situation;
2. Evacuate voters in an orderly fashion. Let voters vote if they have a ballot unless the threat is imminent;
3. Contact your delivery contact that you will need to do an emergency transport ASAP.
4. Gather ballots from the DS200, secure, and transport;
5. Before unplugging the DS200, note the number of ballots cast so that number can be verified at the new location;
6. Secure and seal all voting equipment and election materials for transport;
7. Post a sign on the current location indicating where you are moving to. If you are a vote center, inform voters that they can vote at other close by polling sites. Provide each polling site with an emergency closing notice that can be posted if ever needed.
8. Once at new location, set-up ASAP;
9. Verify that seals are still in intact;
10. Verify that the ballot count number on the DS200 is the same as when it was checked at the previous location;
11. Resume voting ASAP; and
12. Notify CBEC/Coordinator move was complete.

### ***If you have a power outage and you believe it may be brief, here are some tips:***

1. Inform the CBEC if they haven't been made aware of the situation.
2. Call the electrical provider and see if you can get an estimated time when power will be restored, if brief, follow these steps:
3. How is the light in the polling site? If dark, can you open a door or push a curtain or open a blind for more light?
4. ExpressVotes can operate on average 4 hours on their batteries.
5. You can use the emergency bin for ballots on the DS200.
6. The ExpressPoll tablets (which has short-term battery life) will need the printer function turned off:
  - a. On the Search for Voter screen, go to Options
  - b. Select sign out, then YES
  - c. Go to Maintenance
  - d. Enter Pollbook Password
  - e. Go to Configure Election

- f. Select NO for enable Ballot on Demand
  - g. Hit X
  - h. Exit to Launch
  - i. Sign back in
- 7. Voters can now be checked in with the ExpressPoll.
- 8. Poll workers will need to write down precinct number and name for voter.
- 9. Poll workers will need to do a manual search on the ExpressVote for the correct ballot style inside that precinct.
- 10. If the ExpressPoll tablet completely shuts down, call the County Clerk and they can give poll workers voter information. You are also required in some form to have a list of all registered voters in the county at each polling site.
- 11. Have the Voter sign a Voter List addendum sheet for verification purposes.

**We Encourage Every County to Have a Written Emergency Plan Available to Have at All Their Polling Sites. If You Don't Have One, Contact SBEC for Guidance and Direction. Many Counties That Do Have a Plan Are Willing to Share.**

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# ABSENTEE BALLOTS

*Legal Deadline – Forty-seven (47) days before Election Day*

**A.C.A. § 7-5-401, 407, 411, 412**

## **TASK OVERVIEW:**

CBEC is to produce paper hand-marked absentee ballots in a timely manner for the County Clerk who has statutory authority over the issuance and receipt of absentee ballots according to state and federal laws.

## **TASK RESPONSIBILITY:**

Absentee ballot production is the responsibility of the CBEC in conjunction with the election coordinator and ES&S or another ballot printer of a county's choosing.

## **DEADLINE DATES:**

Preprinted paper absentee ballots must be delivered at least forty-seven (47) days prior to an election so the County Clerk can begin delivering absentee ballots to qualified voters as soon as practicable and no later than forty-six (46) days before an election.

## **PREPARATION FOR ABSENTEE BALLOT PRODUCTION**

1. Follow the tasks in previous sections on BALLOT LAYOUT and BALLOT PROOFING to ensure proper delivery of absentee ballots in a timely manner.
2. Talk with your ballot printer before ballot draw is done to double check on availability of adequate ballot stock inventory, on your preferred delivery timeline dates, and what deadlines they require to ensure timely delivery of ballots.
3. Once delivery has been made, make certain someone signs for the delivery and notifies the CBEC and election coordinator if delivered at the County Clerk's office or elsewhere.

## **HOW AN ABSENTEE BALLOT GETS DELIVERED TO THE VOTER:**

1. Voters may receive and cast an absentee ballot if they are unavoidably absent from their voting place on the day of election or will be unable to attend the polls because of illness or physical disability. A person living in a long-term care or residential facility

licensed by the state, and any voter unable to vote on Election Day due to observance of a religious discipline or religious holiday during the twelve (12) hours the polls are open also qualifies.

2. Applications for absentee ballots may be made on an approved Secretary of State application and furnished by the County Clerk at least sixty (60) days prior to the election.
3. Applications are valid for one calendar year.
4. Any person may distribute blank applications for absentee ballots. A voter must complete an application to receive an absentee ballot.
5. A designated bearer may obtain absentee ballots for no more than two (2) voters per election and deliver those ballots to the voters. The bearer shall be named on the absentee application form.
6. A designated bearer shall be also named on the voter statement accompanying the absentee ballot if the bearer is returning the ballot to the County Clerk.
7. A designated bearer shall show a form of current photographic identification.
8. The County Clerk will print the designated bearer's name and address beside the voter's name on a register.
9. The designated bearer shall sign the register under oath indicating receipt of voter's ballot and/or return of voter's ballot.
10. The designated bearer must deliver the absentee ballot no later than the close of business hours on the Friday before the election to be accepted.
11. An authorized agent may also deliver absentee ballots in much of the same manner and follow similar procedures as a designated bearer except an authorized agent must submit to the County Clerk an affidavit from the administrative head of a hospital, a long-term care facility, or residential care facility licensed by the state that the applicant is a patient and medically unable to vote on election day. An authorized agent may deliver an absentee ballot back to the County Clerk by 7:30 p.m. on Election Day.
12. An administrator of a long-term care or residential care facility may also deliver absentee ballots back to the County Clerk for the patients residing under their care. Many of the same rules as above apply to the administrator and ballots may be delivered back to the County Clerk by close of regular business hours on Friday before Election Day.
13. Absentee ballots mailed from anyone inside the country, excluding active-duty uniformed service personnel and their dependents, must be received by the County Clerk by 7:30 p.m.
14. Under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), absentee ballots of active-duty uniformed services personnel and their dependents will be counted if executed no later than the date of the election (postmark is not required) and received by the county clerk no later than 5:00 p.m. ten (10) days after the election.
15. Under the same UOCAVA rules, qualified electors outside the United States on election day can be counted if the voter's ballot is signed, dated, postmarked, and mailed by the

voter no later than the day of the election and received by the County Clerk no later than 5:00 p.m. ten (10) days after the date of the election.

# REPORT OF ABSENTEE BALLOTS DELIVERED TO COUNTY CLERK

**Act 329 of 2023**

Election: \_\_\_\_\_

Date of Delivery: \_\_\_\_\_

Method of Delivery: \_\_\_\_\_

Total number of ballots provided by ballot style: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Delivered by:

\_\_\_\_\_  
Election Official/Date & Time

\_\_\_\_\_  
Election Official/Date & Time

Received by:

\_\_\_\_\_  
Election Official/Date & Time



# LOGIC & ACCURACY (L&A) TESTING

*Legal Deadline – Seven (7) Days Before Early Voting Begins*

**A.C.A. § 7-5-611, 509, 512, 515, 516, 517, 525, 509, 604**

## **TASK OVERVIEW:**

When election media is prepared by ES&S and sent to you, at least seven (7) days before early voting, the process of performing testing on all voting equipment (ExpressVote, ExpressPoll electronic pollbook, and DS200 tabulator) should begin and be completed to determine the voting system has been correctly configured and the voting system will correctly and accurately count the votes cast by voters.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for L&A testing in conjunction with the election coordinator. Trained poll workers can also be used in the process while giving them additional hands-on training time on the voting equipment.

## **TASK DEADLINES:**

As soon as election media arrives back to the county, **L&A testing should be done as soon as possible. If there are any mistakes that need to be corrected, you want to know immediately to avoid any delays in receiving back new media from ES&S.** The legal deadline is seven (7) days before the beginning of early voting. L&A testing DOES NOT have to be a public meeting but would advise informing the press anyway and also to candidates as a courtesy if they want to attend you are testing. However, you do have to notify the press about your public test meeting that has to be made open to the public.

## **PREPARATIONS TO CONDUCT L&A TESTING:**

1. Set-up and arrange all ExpressVotes in an order (*by polling site as an example*) to be tested. Same with both ExpressPoll electronic pollbook and DS200 tabulator.
2. If you do not have space available to arrange your equipment all at once, take it by polling site(s) one by one or more how you prefer. In whatever case, you have to keep all voting equipment in an order they all have the same data and location for each piece of equipment.
3. Sort and arrange all your election media by polling site on a table.

4. If not done already, prepare any labeling and attach to your voting equipment to identify your voting equipment by polling site to keep same things together.
5. Since you will have every ExpressVote open at this process, any special messages to voters and/or special instructions can be attached to the sides of the privacy hoods at this time. Same for the DS200 tabulator.
6. Since you are constantly opening and closing voting equipment, take your barrel keys and flat keys to the voting equipment and attach to some type of flexible wrist bracelet or a lanyard to have keys readily available. Same tip for poll workers to use during polling site set-ups and closings.
7. For actual instructions on conducting L&A testing, follow the example suggested list following this.

# Logic & Accuracy Process Quick Summary

- \*Send any leftover media thumb drives (sticks) back to ES&S....*90-120 days prior to election*
- \*Send voter registration update data to ES&S.....*least 75 days prior to election*
- \*Start process of creating your election ballot, go through the filing period, start building your ballot..... *least 65 days prior to election*
- \*Send all ballot info and equipment orders to ES&S.....*ASAP after ballot draw*
- \*Receive proofs back from ES&S, proof, proof again, send back changes and corrections.
- \*Receive back from ES&S all election media thumb drives (sticks) and voter sample data  
.....***start L&A process NOW***
- \*Load sample data onto the electronic poll tablets.
- \*Start the L & A process by inserting the EQC (qualifying) stick into each ExpressVote and DS200 in order to take the new election data, follow screen instructions, then remove the EQC stick.
- \*Then place the new media sticks by polling site into each ExpressVote and DS200, follow instructions, check time and date, complete, and remove the stick from ExpressVotes, leave in the DS200s, the machines are ready to vote now.
- \*With the sample data loaded on the poll tablets now, pull up a voter (or test voter) ***from each precinct*** in your county, take blank ballot and insert into the electronic printer then take to the ExpressVote and vote each ballot creating a test deck. The test deck totals should be calculated to have as a comparison to your DS200 totals.
- \*Once the test deck is completed, take the full-size test ballots from ES&S, and combine these as a full complete test deck.

\*Before inserting the test deck into the DS200, make certain a zero tape has been run after opening the polls and is in vote mode, start voting the test deck ballots. Be certain to run these ballots through each DS200.

\*Once all completed, compare vote totals, and if 100%, pull the DS200 sticks and enter vote totals into the Electionware computer laptop and send L&A results to SOS.

\*Once that is done, begin to clear DS200s of vote totals by putting sticks back in the DS200s, re-open the polls, enter "override code," select CLEAR, clear votes, confirm count is zero, turn off DS200, seal it, DS200 is ready for Early Vote/Election Day vote counting.

**Legal Deadline to Have L&A  
Completed**

**Seven (7) Days Before Early  
Vote Begins**

***BUT PLEASE, do not wait till the  
last minute, start your process  
once you get back your media  
and sample data from ES&S.***

# PUBLIC TESTING

*Legal Guideline – Public Test Must Be Held After L & A Test is Completed Which is Seven (7) days Before Early Voting Begins as Long the Public Test has a Notice Published in a Local Newspaper at Least Forty-Eight (48) Hours Before the Public Test*

**A.C.A. § 7-5-515**

## **TASK OVERVIEW:**

The public test following the L&A test is open to representatives of the political parties, candidates, media, and the general public to once again prove that the county's voting system has been correctly configured and that the voting system will correctly and accurately count the votes cast by voters.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for the public test in coordination with the election coordinator. Trained poll workers can be used in the process demonstrating to the public the voting system's is accurate.

## **TASK DEADLINE:**

After the L&A test is completed, a public test shall be held with at least a forty-eight (48) hour newspaper publication notification.

## **PREPARATION FOR PUBLIC TEST:**

1. Notify media of public test date, time, and place;
2. Complete L&A testing first;
3. The public test will begin by generating a zero-printout tape;
4. Produce a pre-audited group of test ballots off the ExpressVote to predetermine the number of valid votes cast for each candidate and each measure.
5. Scan the test ballots on the DS200;
6. Confirm rejection of overvoted ballots (which you are required to include in your test deck to determine if the DS200 will reject the vote);
7. Compare the results for any discrepancies;
8. Once the test is done and examined by candidates or their designated representative, media, and/or the general public, the CBEC will certify the accuracy of the voting system

by sending the Certification of Logic and Accuracy Testing Results Transmittal Page to SOS and file the page also with the county clerk;

9. Seal and retain the test ballots and documents used to test the machines as provided by law;
10. Make the voting equipment inaccessible to further voting;
11. Place any activation devices in a sealed package on which is written the serial number and precinct location of the voting equipment and the number registered on the protective counter of the DS200 and retain them until turned over for delivery to poll workers; and
12. Certify the number on the protective counter and that all public counts are cleared and set to zero for each machine.

### **EXAMPLE OF A REQUIRED PUBLIC NOTICE**

#### **NOTICE FROM THE ANYWHERE COUNTY ELECTION COMMISSION**

#### **PUBLIC VOTE MACHINE TESTING**

The Anywhere County Election Commission do hereby give public notice they will meet and do a public testing on the county's election equipment and media for logic and accuracy testing to be used in the 2024 Presidential Preferential Primary Early Voting period and Election Day voting.

The testing will take place beginning at 9 a.m. and continuing until finish at the Anywhere courthouse election office training area located at 1234 Vote Street at Everywhere. The public is encouraged to attend.

The example can be used both as a required publication for the public testing and/or news release to the local media.

#### **REIMBURSEMENT:**

A public test notice is reimbursable if it is a state-funded election. Have the newspaper publishing media company provide you a proof of publication(s) (affidavit) and invoice(s) and use for completing your reimbursement expense report to the SBEC for payment.

# VOTERVIEW BALLOT POSTING

*Legal Deadline – 20 Days Before Preferential Primary and General Election, and 10 Days Before  
Other Elections*

**A.C.A. § 7-5-206**

## **TASK OVERVIEW:**

The CBEC shall publish all election ballot information including candidates, proposed amendments, and other measures and questions required by law to be submitted to the electors at any election and then submit that information to the Secretary of State's voter website (VoterView) a sample ballot of each ballot style which is marked with the word "SAMPLE."

Having your election sample ballots on VoterView gives every Arkansas voter an opportunity to view their own specific ballot before going to the polls and casting their actual vote. This saves the voter time and effort on deciding their choices.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for uploading sample ballots to VoterView. Sample ballots must be marked with the word "SAMPLE" and uploaded at least twenty (20) days before each preferential primary and general election, and ten (10) days before each general primary, general runoff, school, or special election.

## **DEADLINE DATES:**

For Preferential Primary – Thursday, February 15, 2024

For General Election – Wednesday, October 16, 2024

## **PREPARATIONS FOR SENDING INFORMATION:**

1. Once all ballot information has been Logic and Accuracy tested and approved by the CBEC, sample ballots can be uploaded to VoterView.
2. SOS will send instructions on how to submit the information. Abbreviated version follows:
  - Go to [www.voterview.ar-nova.org](http://www.voterview.ar-nova.org)

- Click – Set Up Sample Ballots
  - Choose the election, click on the edit button under ACTIONS
  - For each style, choose FILE and upload the corresponding sample ballot
  - When finished with all uploads, click on SET UP SAMPLE BALLOTS again
  - Click on the PUBLISH button under ACTIONS
  - Click OK
3. After CBEC submits the sample ballots to VoterView, voters can start viewing their sample ballots after entering some identifying information.



# POLL WORKER TRAININGS

*Legal Deadline – There is no specific legal deadline except all election officials shall be trained by a state certified trainer prior to working in a polling site*

**A.C.A. § 7-4-107, 109**

## **TASK OVERVIEW:**

Each county has a minimum of two (2) state certified poll worker trainers trained by SBEC prior to each two (2) year election cycle. The trainers then turnaround and hold multiple trainings for their potential county poll workers prior to each preferential primary election. The size and makeup of the trainings will vary from county to county because of the population size of the county, number of polling sites, etc. Poll workers must be trained within twelve (12) months of any election they work.

## **TASK'S RESPONSIBILITY:**

The CBEC supervises all election workers. The county's state certified trainers can be anyone from a member of the CBEC, election coordinator, county clerk or CC staff member, or an experienced current election official.

The trainers are responsible for setting up and conducting the trainings based on SBEC's approved training material and recommendations. The SBEC will provide the training information on a thumb drive and provide enough written poll worker training guides for all workers to use during training and when they work the polls.

SBEC will authorize more than two (2) trainers but will only reimburse for two (2) trainers.

## **DEADLINE DATES:**

Poll workers must be trained within twelve (12) months before an election. All poll workers need to be retrained before the preferential primary, regardless of their last training date. A BEST PRACTICE is holding multiple trainings. Example: for early vote election officials, hold the training(s) sometime the week before or a maximum two (2) weeks prior. In training, a lot of information is given in a relatively short time (2-4 hours usually). The advantage to training election officials right before early vote is to help them learn as much as possible and retain that knowledge while it is fresh and not too much time has lapsed.

This may not always work for your county due to the size, number of workers and training space, but a great time to train is during the two-week early voting period. Once again, holding

training closer to the time to work has its advantages in retaining what you learn and using it fairly quickly. But the main advantage is to encourage your election day workers go spend some time with the early vote workers while early voting is going on to get some great on the job, hands-on, practical work experience. This only helps in retaining what you have learned but also takes some of the pressure off of having this hands-on experience when it comes opening up the polls at 7:30 a.m. on election day.

Some Arkansas counties make it mandatory to have election day workers go work early voting. This is not a statewide practice but it is highly encouraged to have at least one worker who does check-ins and those working the ExpressVotes and tabulator to go by and get some real live work experience.

### **REIMBURSEMENTS:**

The SBEC will reimburse you for training your poll workers to work the preferential primary election. On the “State-Funded Expenses for Preferential Primary Elections” form where polls workers are listed as election day workers or early voter workers, there is a column for training attended. You can record the \$35 for basic training or \$55 for advanced training conducted by the county’s state board-certified trainer(s). DO NOT DUPLICATE CLAIM for poll workers who worked both early vote and on election day.

Proof of workers attending training must include a copy of sign-in sheets at the training (provided by SBEC) with contact information, trainer’s name, date of training, type of training (basic/advanced), and Pass/Fail designation. These sheets must be sent in with the reimbursement form as proof for payment.

# EQUIPMENT DELIVERY LOGISTICS TO POLLING SITES

*No legal requirement on equipment delivery, but normally delivery of voting equipment is done the day before election begins (maybe more depending on size of the county, number of polling sites and security factors).*

**A.C.A. § 7-5-211**

## **TASK OVERVIEW:**

One of the biggest tasks not talked about that much in other election trainings is the safe, secure, and responsible delivery of the voter election equipment from election headquarters to the polling sites. With the current ES&S voting equipment, gone are the days of being able to load your election equipment in your car or truck. Today's equipment requires either trailers (enclosed preferably) or box trucks with lifts or ramps of some type because of the awkward size, shape, weight, and quantity of voting equipment needed at a typical polling site.

Every county has different ways of delivering their voting equipment to their respective polling sites. Not only is the actual delivery vehicle an issue, but you have to consider the personnel it takes to deliver the voter equipment and materials to load and unload the equipment and materials at each polling site. If you have multiple sites, the time logistics to deliver to one site, then to another, and another, and so on has to be taken into consideration. It is not a simple task, and it takes prior proper planning to get everything delivered on time, safe and sound.

## **TIPS TO CONSIDER CONCERNING DELIVERY LOGISTICS:**

1. DO NOT WAIT UNTIL THE LAST MINUTE to figure out your delivery logistics. In fact, you need to consider this issue very early. Know how you will deliver voting equipment to polling sites considering all the factors already mentioned.
2. The ideal situation is the CBEC has its own truck and enclosed trailer and election staff members to do the deliveries, but very few counties have that luxury.
3. Next best is having a local moving company to do your deliveries because they are equipped and staffed to handle such jobs. It costs, but normally they are bonded and insured, and the costs outweigh the potential of damage and not getting the equipment and election materials delivered on time.
4. Next, get with your county judge and see if the road department crew and their equipment can help out. If your county has a large enough municipality, the city mayor may help out.
5. Rent a U-Haul or some sort of moving truck.

6. Unfortunately, this is probably the most used resource of many smaller counties.....a CBEC member, farmer, private business owner, or other individual has a truck and trailer of some sort or access to one you can borrow or rent.
7. Whatever your county's delivery system is, never forget the personnel needed to make the deliveries, load, unload, and the time and mileage it takes to get from one polling site to another. And always have someone at the polling site when you plan to be there with a key to get in or have a key in advance if someone can't be there at the planned delivery time. PLAN, PLAN, PLAN!!!
8. One other consideration that needs to be determined is who will set-up the equipment for election day.. This would consist of pulling up the screens on the pedestal from their down transport position of the ExpressVotes, connecting multiple ExpressVotes together, running power cords to outlets, setting up the electronic pollbooks for check-in, checking Internet connection, and plugging in the DS200. Or, do you let poll workers do that task either that day once delivered or come in extra early on Election Day and get equipment ready for use? Doing it the day before is recommended.
9. Finally, getting it there is one thing, getting everything back is another task. We'll talk more about that in another task later in the manual.

#### **REIMBURSEMENT INFORMATION:**

Delivery of voting equipment and materials are reimbursed by SBEC for the primary election and subsequent run-offs on the state-funded expense form. Contract labor at minimum wage (\$11.00 an hour) for moving voting equipment and materials, individual vehicle mileage (*currently \$0.52 a mile*) for transporting, truck/trailer rental (i.e., U-Haul, etc.), and/or business delivery companies are reimbursable with proper documentation. Expense forms are located on the SBEC website under the Forms & Checklists section, [www.arkansas.gov/sbec](http://www.arkansas.gov/sbec).

# POLLING SITE SET-UP

*Legal guidelines pertain to implementing the Title II requirements of the American with Disabilities Act (ADA) and with the Title III requirements of the Help America Vote Act (HAVA) of 2002 regarding accessibility for voters with disabilities. Disability means any physical, mental, or sensory impairment.*

**A.C.A. § 7-5-311, 521**

## **TASK OVERVIEW:**

Polling site set-ups shall meet all ADA and HAVA requirements. Polling sites should also be laid out for convenience, flow of traffic, and provide reasonable and adequate access for all voters to personally and secretly execute their ballots.

## **TASK RESPONSIBILITY:**

The CBEC shall be responsible for complying with all ADA and HAVA requirements. CBEC, election coordinator, and poll judges all have responsibilities to ensure all requirements are met, both outside and inside the polling site.

## **BEST PRACTICE:**

Ideally, set-up your polling site layout the day before Election Day to give ample time to properly put all voting equipment in place with power hook-ups, have election check-in poll tablets and tables in place, DS200(s) in place close to the exit, and have walk-throughs with people pretending to vote and go through the process of voting to exhibit an orderly flow of traffic through the polling site from start to finish. CBEC should provide each polling site with diagrams or photos of polling site layout.

## **POLLING SITE PREPARATIONS – INSIDE**

1. Have a key to the building or have someone responsible there with a key to open the polling site.
2. Adequate lighting is on and working properly.
3. Is the air or heat working properly?
4. Bathroom facilities are in good working order for workers.
5. If available, kitchen appliances are in working order.

6. Check all power outlets are in working order.
7. Is there adequate phone service? Cell service? Internet service?
8. Do you have adequate extra power cords and/or power strips available?
9. Once all voting equipment is set-up, are all power cords covered and out of the way avoiding any potential tripping accidents?
10. Is the exterior of the voting machines and every part of the polling place in plain view of the poll workers?
11. Are there six (6) feet separating the ExpressVotes from each other?
12. Are the ExpressVotes set-up where no one other than the voter can see the screen?
13. Is all the proper required signage (*see page 13 of the SBEC Training & Checklist for Poll Workers guide*) posted in public view?
14. Are two (2) copies of sample ballots available for viewing by the voters?
15. Is the ZERO tape signed and posted on the wall?
16. Once you have your polling site set-up properly, take pictures of it for future reference and to also use to complete any ADA status reports that may be requested.

#### **POLLING SITE PREPARATIONS – OUTSIDE**

1. Do you have at least one identified handicapped parking space available that meets all ADA requirements?
2. Is the door opening devices ADA compliant?
3. Is the main entrance into the polling site ADA compliant? If not, is there an optional ADA entrance available?
4. Are there easy ingress and egress entrances into the parking lot?
5. Is the 100-foot electioneering zone properly identified and marked off properly?
6. After dark, is there adequate lighting at the entrance? Parking lot?
7. Once you have your polling site compliant outside, take pictures of it for future reference and to also use to complete ADA status reports.

More ADA Compliance Information Can Be Found on the  
SBEC Website at [www.arkansas.gov/sbec](http://www.arkansas.gov/sbec) under  
Election Information

# COUNTY ELECTION COORDINATOR THE DAY BEFORE EARLY VOTE & ELECTION DAY TYPICAL DUTIES\*

*\*The day before Election Day has become more and more important over the years in terms of proper preparation for the day of election in terms of setting up the voting equipment and setting up the polling sites to meet the continuing federal, state, and local requirements.*

Make arrangements with your team to deliver all voting equipment, election materials and supplies to the polling sites on at least the day before Election Day. Need a plan to pickup up everything after the election.

## **Things to check before Election Day:**

- Polling sites are available and secured
- Election judges have all the building and equipment keys
- Passwords are provided and easy to access
- Election judges should confirm their poll workers are ready and trained
- Make certain all polling sites are ADA compliant in every way
- Double check all polling sites have all the necessary forms, posters, sample ballots, VOTE HERE signs, etc.
- Plenty of power cords, power strips, tape, etc and enough electrical outlets are available
- 100 ft. electioneering zone is clearly marked

# COUNTY ELECTION COORDINATOR FIRST DAY OF EARLY VOTE & ELECTION DAY TYPICAL DUTIES\*

*\*Once early vote starts, every day during Early Vote will become more routine and include lesser oversight.*

*\*Be ready to go (shower, dress, ready to go with cell phone charged up) at 6:00 a.m. on first day of voting, be prepared to start answering calls and visit polling sites in need with any troubleshooting issues that have developed.*

*\*Have extra supplies, blank ballots, power cords, and power strips in your vehicle in case a polling site comes up short with anything they may have overlooked the day before. Send extras with the CBEC and rovers (if you have any).*

**\*TRUST ME! YOU WILL GET CALLS AND QUESTIONS** *(many will be minor, but stress kicks in everywhere and be prepared for a very, very busy next 3-4 hours).*

*\*Refamiliarize yourself on opening procedures on all voting equipment in case issues arise at the polling sites.*

*\*If you don't have access, have someone at the County Clerk's office monitor CONNECT to check that poll tablets are connected everywhere, and polls are open at 7:30 a.m. All election coordinators and CBEC members should have access to CONNECT.*

*\*Have a system in place where you have polling sites either call or text to election coordinator, CBEC or County Clerk's office polls are open and voting has begun if CONNECT is unavailable for some reason. Also, ask if zero tapes have been run, signed, and posted inside the polling site.*

*\*Be prepared, (if you have staff and/or CBEC members willing to work), to go and visit polling sites if for no reason just as a courtesy visit. 99.9% of the time, polling sites appreciate someone just stopping by to check on them. This allows them to possibly ask questions they might not call about and an opportunity to ask how the election is going in different parts of the county.*

*\*Make certain your CBEC has a system in place to properly canvass and count absentee ballots during the day, if not before.*

*\*Usually, your peak calling times will be poll opening, early morning, around lunchtime, 3:00 p.m. – 5:30 p.m. time period, and when polls close at 7:30 p.m.*



\*ALWAYS BE AVAILABLE or have someone available the best you can during the day. Today is not the day to have a hair appointment, getting your nails done, have a routine doctor visit, or go grocery shopping. The day belongs entirely to the election process.

## COUNTY ELECTION COORDINATOR ELECTION NIGHT TYPICAL DUTIES

\*After the POLLS CLOSE AT 7:30 P.M., have a system in place to receive back from all the polling sites the media thumb drives, results tapes, all ballots (printed or not), provisional ballots, and other election materials and forms that are requested back on election night.

\*At 7:30 P.M., all early vote and absentee ballots at your central tabulating center should be ready to tabulate and run the results tape for the first vote totals of the evening to be made public.

\*Once you start receiving polling site information, make certain the result tapes totals match the thumb drives counts from the DS200s. Those totals will then be entered into the Electionware vote system laptop. Confirm again the vote totals match before being uploading. Vote totals are now sent as preliminary and unofficial results to the SOS website before releasing totals to the public and media representatives.

\*You can begin posting results for public view, provide copies to the media and other interested parties as necessary. Decide how you will report results on your social media and website if you utilize these means.

\*Email SOS the number of provisional ballots and UOCAVA ballots outstanding before going home on Election Night. You should also report this number to the public and media when releasing all the unofficial results at the end of the night. **REMEMBER, all vote totals at the end of the night are UNOFFICIAL TOTALS!**

\*Double check again arrangements are in place to have voting equipment and any leftover material to be picked up the next day and delivered back to the election headquarters.

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# EARLY VOTE VS. ELECTION DAY CONSIDERATIONS

## TASK OVERVIEW:

CBEC must take into consideration some differences pertaining to the first day and the continuous daily ongoing Early Vote cycle versus the one-day Election Day voting period. This is especially true if CBEC has an agreement with the County Clerk to operate Early Vote and has multiple off-site Early Vote site(s).

## TASK RESPONSIBILITY:

The CBEC, election coordinator, and county clerk must have open communication and work in together to have a successful election.

## MAJOR DIFFERENCES BETWEEN EARLY VOTE AND ELECTION DAY:

### ***EARLY VOTE –***

1. You must locate secured, ADA compliant polling site(s) that are available for major elections (primary and general elections) for a two-week period. For other minor elections (such as school, runoffs, and special elections) sites must be available for a one-week period.
2. Appoint poll workers who can work extended voting hours. For major elections, they will be working from 8 a.m. to 6 p.m. each day Monday through Friday and two Saturdays from 10 a.m. to 4 p.m. For minor elections, they will be working the County Clerk regular office hours which in most cases will be 8 a.m. to 4:30 p.m. Tuesday through Friday and no Saturdays. **NOTE: THE START TIME OF EARLY VOTE OF THE TWO-WEEK PERIOD vs. ONE-WEEK PERIOD.**
3. More voting hours create having more voting election supplies on hand during the Early Vote periods.
4. Being open on multiple days, poll workers must shut down the voting equipment each day at the designated time **without** closing the polls. ES&S provides procedures to shut down the voting equipment without closing the polls.
5. The Early Votes site(s) must be able to lock down and secure the voting equipment each evening with no public access.
6. At the close of the final day of Early Voting, CBEC must arrange for all ballots, election media thumb drives, and all election equipment and supplies to be picked up and return to the central election headquarters. If the Early Vote site will also be used as an

Election Day site, CBEC must arrange for the pickup of election media thumb drives and ballots.

7. If the same ExpressVotes and DS200 will be used for Election Day, CBEC must arrange for the election media thumb drives to be switched out. The electronic pollbook tablets must also be switched from Early Vote site to Election Day site. If a county has extra electronic pollbook tablets and DS200s, those pieces may be totally switched out, just leaving the Express Votes switching out the media only.
8. Election postings at the Early Vote sites can stay for Election Day. Any reference to Early Vote should be removed and replaced with Election Day info.

#### ***ELECTION DAY –***

1. The number one difference in Election Day vs. Early Vote is the voting hours are 7:30 a.m. to 7:30 pm on Election Day and are conducted all in one day. Also, some counties still vote by precinct on Election Day.
2. On Election Day, all polls open at once versus just a minimum of Early Vote site(s) that open up one time the first day of Early Voting. The responsibility of assuring all polls opening up at 7:30 a.m. becomes a much greater oversight and stress on Election Day morning. Having extra election workers available especially the first two (2) to three (3) hours on Election Day morning to troubleshoot at polling sites is helpful.
3. After polls close at 7:30 p.m. poll workers will deliver DS200 results tape, all ballots, absentee, rejected and spoiled, election media thumb drives, and any other election material the CBEC requires to be returned that night.

## OPEN THE POLLS

# POLLS OPEN AT 7:30 A.M.

*Deadlines - Preferably all voting equipment, materials, and supplies can be delivered and set up the day before the election, if not, allow enough time the morning of to deliver and set up polling site in a timely manner to have voters start voting at 7:30 a.m.*

**A.C.A. § 7-5-304, 309, 310, 418, 521, 607**

### **TASK OVERVIEW AND RESPONSIBILITIES:**

**IT IS OF GREAT IMPORTANCE** for all three (3) CBEC members, the election coordinator(s), poll judges, and any other additional staff to be ready to go no later than 6:00 a.m. if not sooner on Election Day and be prepared to work through Election Night until all unofficial results are reported.

### **TASKS ON OPENING POLLS AT 7:30 A.M.:**

- \*Make certain the poll judge or designated poll worker at each polling location has the keys to the polling site (outside and inside)
- \*Poll Judge administers the Oath of a Poll Worker to all poll workers at their polling sites
- \*Account for all voting equipment, then power up and turn on all voting equipment
- \*Check the arrangement of the poll set-up if not already done beforehand, make necessary changes as needed to have an orderly flow of voters entering the poll, voting, then exiting the poll
- \*Inspect and review all the election materials and forms sent to you by the CBEC. Post all required posters in viewable space seen by voters
- \*Once all voting equipment is up and running, run ZERO TAPES from the DS200 indicating no votes are registered on the tabulator, have poll workers sign the tapes, and post one copy on the wall for voters to see

**\*At 7:30 a.m., LET THE VOTING BEGIN!!!!**

**After taking the Oath, FIRST THING TO DO is to account for all voting equipment, turn on the equipment, follow instructions to get all voting equipment ready for voters to start voting at 7:30 a.m.**

*Refer to opening the polls and equipment opening instructions in the SBEC Training & Checklist for Poll Workers Manual pages 5-15 to verify you have everything you need and instructions on opening the electronic poll tablets, Express Vote ballot markers, and DS200(s) tabulator.*

# HOW TO PROCESS A VOTER AT A POLLING SITE

## *(Early and/or Election Day)*

A.C.A. § 7-5-520, 522

### **TASK OVERVIEW:**

During any election, the first most important thing once the polls open is making certain every voter gets properly identified and processed in, receives a ballot, votes on that ballot, and casts that ballot into the DS200 tabulator or other ballot container a county may be using.

### **TASK RESPONSIBILITY:**

Every polling site will have trained poll workers responsible for getting voters checked in properly and take them throughout the entire process before casting their ballots. If a problem arises within this process and the polling site election judge needs further assistance, the CBEC, election coordinator, and/or County Clerk's office may step in.

### **STEPS TO PROCESS VOTERS AT THE POLLING SITE:**

At check in, the trained poll worker will:

1. Ask the voter to state his or her name to look up in the electronic pollbook which contains the precinct voter registration (PVR) list containing voter information.
2. Then ask the voter to state his or her address and date of birth.
3. Poll worker check in official will verify the information given by the voter is the same as the information on the pollbook.
4. The voter will be asked to verify his or her voter registration with a state approved photo ID.
5. Once shown and verified, the check-in clerk will press the "Issue Regular Ballot" box on the pollbook.
6. The ID provided will be passed onto the poll worker keeping the LIST OF VOTERS, the voter's name will be hand recorded on the paper list, and photo ID returned to the voter.
7. The voter will be asked to sign the electronic pollbook, once that signature is captured, the blank ballot will be placed in the printer and the printer will print out the proper precinct bar code on the ballot.

8. The voter will be given the printed bar code ballot and sent to the Express Vote voting area.
9. The voter will place the ballot in the Express Vote and the voter will make his or her ballot selection on the Express Vote screen.
10. Once completed, the ballot will be returned by the Express Vote to the voter. The voter will review his or her selections.
11. If the ballot selections are approved by the voter, the voter will cast their ballot by placing the ballot in the DS200 tabulator or another tabulator/ballot box a county may be using.

### **SCENARIOS THAT CAN HAPPEN DURING PROCESSING VOTERS:**

Different things can happen during the voting process at check-in, the following are some scenarios and possible solutions that may come up during the voting process:

1. If a poll watcher challenges a voter at check-in, the voter can still vote but it must be on a provisional ballot.
2. If a voter's information does not match or cannot be found on the PVR, the poll worker is to follow Fail Safe Voting Procedures (*see page 25-26*) and, if an issue is solved by following the procedures, the voter may still vote a regular ballot in many cases but, if not, the voter can vote a provisional ballot.
3. If a voter is noted as a "flagged vote" on the pollbook, the voter must show photo ID and can vote a regular ballot. If the voter cannot provide photo ID, the voter can vote on a provisional ballot.
4. If a voter does not have proper photo ID, the voter can still vote a provisional ballot and can provide proper photo ID by noon the following Monday to the County Clerk's office or member of the CBEC.
5. Proper photo ID is used only for purposes of the name and photo image, NOT address or date of birth.
6. If the election is a PRIMARY ELECTION, the voter shall be asked "which ballot would you like" or "which party ballot would you like" type question. (Democrat, Republican, or Nonpartisan)
7. If a voter's name and date of birth shows on the PVR but no address, those voters may be Secured Voters, who have been a victim of particular crimes or found by the court needing required protection. Poll workers will need to call the County Clerk. The County Clerk will be able to provide the poll worker with the needed information for the voter to get the correct ballot.
8. If a voter comes in that is from a long-term care or a residential care facility, documentation from the facility administrator attesting that he or she is a resident of the facility is all that is necessary. No photo ID is required, and they will be given a regular ballot.



9. Once a voter makes his or her final ballot selections on the Express Vote, the ballot is printed and returned to the voter. If a voter sees a selection he or she wants to change, he or she can still do that through the Spoiled Ballot process, see page 57.

*Refer to how to process a voter at a polling site in the SBEC Training & Checklist for Poll Workers Manual pages 23-29 to assist you in processing a voter.*

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# POLL WATCHERS & VOTE CHALLENGES

A.C.A. § 7-5-312

Poll watchers play a big role in our political process as they are ears and eyes for their candidates, political parties, or ballot measures at polling sites during the voting and counting process. Poll watchers shall now do an on-line training and be tested.

## A POLL WATCHER MAY BE:

- An authorized representative of a candidate;
- An authorized representative of a group for or against a ballot measure; or
- An authorized representative of a political party with a candidate on the ballot
- Must be trained and tested by the SBEC

## A POLL WATCHER CAN:

- Only have ONE (1) poll watcher representative per candidate, group, or party allowed at any given time at each location within a poll where voters vote;
- They may observe poll workers;
- Stand/sit close enough to the place where voters check in to vote so as to hear a voter's name;
- They may compile list of voters' names;
- They may challenge a voter's ballot by giving notice of the challenge to a poll worker prior to the voter signing the PVR list;
- Call any perceived irregularity or election law violation to the attention of an election official;
- Be present at the opening, processing, and canvassing of absentee ballots and during the provisional vote processes; and
- Be present when defective or damaged ballots may have to be recreated.

## A POLL WATCHER MAY NOT:

- Be within six (6) feet of any voting machine or voting booth;
- Speak with voters;
- Try to influence voters inside a poll or within the prohibited electioneering zone; or
- Disrupt the election process in any way.

#### POLL WATCHER CANDIDATES CAN:

- A candidate may be present in person at an EARLY VOTING POLL only for the purpose of observing whether or not votes are fairly and accurately cast.
- A candidate present as an observer must show ID and MAY NOT CHALLENGE votes as a poll watcher only during the early voting period and may speak only to a designated poll worker.
- If a candidate is present at an early voting poll for the purpose of observing as a public official, he or she may not wear any uniform, badge, or other apparel or equipment that identifies the candidate as a public official. (a Sheriff or Deputy Sheriff, for example)
- ON ELECTION DAY, a candidate may only be at a polling site to exercise his or her right to vote or to assist a family member to vote. Any other time a candidate is PROHIBITED to be inside a poll site or within the electioneering zone on election day.

#### POLL WATCHER CHALLENGES:

Poll watchers may only challenge voters on two (2) issues:

- 1) On the grounds that a voter is NOT ELIGIBLE to vote at the polling site, or
- 2) On the grounds that a voter HAS ALREADY voted in the election.

If a poll watcher challenges a vote, they must:

- Notify a poll worker of the challenge BEFORE the voter signs the PVR list;
- Complete the Challenged Ballot Form section on the Provisional Ballot Envelope; and
- The voter's ballot must be processed as a provisional ballot.

*Refer to poll watcher and vote challenges in the SBEC Training & Checklist for Poll Workers Manual pages 49-52 to assist you.*

**POLL WATCHER TRAINING AND TEST  
CAN BE FOUND ON THE SBEC WEBSITE  
[www.arkansas.gov/sbec](http://www.arkansas.gov/sbec)**

# ELECTIONEERING

*Legal guideline – Electioneering activities cannot occur during the time of any voting hour of Early Vote or Election Day inside the polling site and within a 100-foot zone from the primary entrance of the polling site. Also, a person shall not enter or remain in the building except for the purpose of entering or leaving the polling site for lawful purposes where voting is*

**A.C.A. § 7-1-103, 104**

## **TASK OVERVIEW:**

Train poll workers and educate voters to prevent any electioneering activities that could occur during the voting hours of Early Vote and Election Day.

## **TASK RESPONSIBILITY:**

Since electioneering can only occur during voting hours within one hundred (100) feet of the main entrance(s) to the polling site, the trained polling site poll workers should be monitoring any activities considered as electioneering. If the problem continues, the CBEC and/or election coordinator should be asked to come and evaluate the situation and take any appropriate action. Poll workers should document any forms of electioneering when it occurs.

## **ELECTIONEERING ACTIVITIES THAT ARE PROHIBITED DURING VOTING HOURS:**

- An election official acting in their official capacity is prohibited to do any electioneering;
- Handing out, distributing, or offering to hand out or distribute campaign literature or literature regarding a candidate, issue or measure on the ballot;
- Soliciting signatures on a petition;
- Soliciting contributions for a charitable or other purpose;
- Displaying a candidate's name, likeness, or logo;
- Displaying a ballot measure's number, title, subject, or logo;
- Displaying or dissemination of buttons, hats/caps, face masks, pencils/pens, any type of shirt or other clothing/shoes, signs, or stickers containing electioneering information;
- Dissemination of any audible electioneering information to any voter by anyone inside the 100-foot zone.

**PENALTIES FOR VIOLATION OF ELECTIONEERING ACTIVITIES:**

Violation of electioneering laws is, at the minimum, a Class A misdemeanor offense punishable by fine or jail confinement.

# PROVISIONAL BALLOTS

## **A.C.A. § 7-5-308, Rules on Poll Workers, Vote Challenges and Provisional Voting**

### **TASK OVERVIEW:**

When there is a question concerning a voter's eligibility, (or if a voter fails to verify his or her voter registration, or as part of the fail-safe voting requirements, during early vote and election day), a provisional ballot is cast by following special procedures.

During the absentee canvassing process, an absentee ballot can also be made provisional because of the same requirements not being met and can be cured and counted using the same methods as a regular provisional ballot.

In extreme cases, when voting has been extended by a judicial order, provisional ballots will be used for those voters affected by the extension of the normal 7:30 p.m. poll closing time. These provisional ballots shall be kept separate from the other provisional ballots. **A.C.A. § 7-5-304**

### **TASK RESPONSIBILITY:**

A designated poll worker at each polling site is normally responsible for handling all provisional voting when needed to provide clarity, accuracy, and consistency to the process at their location. The CBEC will make the final determination of whether a provisional ballot becomes countable or not.

If an absentee ballot is to become a provisional ballot, the CBEC and the absentee canvassing team will handle the process of determining if it is to be counted or not.

### **FACTORS AFFECTING PROVISIONAL BALLOTS TO BE COUNTED OR NOT:**

\*As stated above, there are reasons that voters cannot provide adequate information at the time of voter check-in which renders them not being able to vote a regular ballot.

\*Once a voter is given a provisional ballot to complete and has also signed in on the separate provisional voter list, it is **IMPERATIVE** that the provisional ballot and envelope information be completely filled in and there is one envelope with every ballot.

\*Once the voter completes the provisional ballot, it is then placed in a secure ballot container box that is in full view of everyone in the polling site.

\*The voter will be given an informational sheet stating the time, place, and location of the CBEC meeting to see if the provisional ballot will be counted or not.

\*The deadline to show proof of photo ID in person must be returned in person at the County Clerk's office or a designated election office.

\*Also, at this meeting, if your reason was not being able to provide proper valid photo ID then this is the time for the voter to attend and to present proper identification (or anytime up to this point from voting the provisional ballot).

**REMEMBER..... ALL PROVISIONAL VOTERS HAVE TO BE NOTIFIED BY FIRST CLASS MAIL IF THEIR PROVISIONAL BALLOT WAS COUNTED OR NOT. IF NOT COUNTED, THE REASON FOR NOT BEING COUNTED MUST BE STATED.**

*Refer to provisional voting procedures in the SBEC Training & Checklist for Poll Workers Manual pages 39-47 to assist you.*



# HANDLING SPOILED AND ABANDONED BALLOTS

A.C.A. § 7-5-602, 309, 522

## TASK OVERVIEW:

Voters, at times, will make a mistake in marking their ballots or some other reason the selection on the ballot was not their intention. Other times, voters may not completely cast their ballots thinking otherwise they were done but were not. In either case, there are remedies that will potentially get the voters to cast their votes to their satisfaction.

## TASK RESPONSIBILITY:

In most cases, the polling site election official(s) will handle the process of getting ballots corrected to the voters' satisfaction. If issues arise that the polling site cannot handle, the CBEC, county election coordinator, and/or County Clerk can be contacted to assist.

## STEPS TO HANDLE SPOILED BALLOTS:

If a voter determines they need to redo their ballot again because of an error they see when they printed the ballot, and before casting it in the tabulator, do these steps:

1. If a voter sees an error made on the ballot by selecting a wrong person or had a change of heart about who they want to vote for, the voter can take the ballot back to the supervisor at the check-in table and ask for another ballot.
2. The supervisor can bring back up the voter's name on the electronic pollbook, the name will show the voter voted, but the poll worker can push the "Reissue Ballot" button.
3. Off to the right there is a drop-down box to state the reason for the re-issuance, pick SPOILED BALLOT.
4. This will allow the poll worker to print another ballot for the voter.
5. The poll worker will stamp (stamp is provided) CANCELLED on the face of the ballot, then poll worker will print and sign their name.
6. They will record the date and time next to the word CANCELLED and place the spoiled ballot in the Spoiled Ballot envelope.
7. Record the spoiled ballot's ballot style number on the spoiled ballot affidavit.
8. Have the voter sign the Spoiled Ballot Affidavit **BEFORE** issuing the replacement ballot to the voter.
9. The check-in supervisor will preserve the spoiled ballots separately from other ballots for return to the CBEC.

10. Voter takes the ballot and can vote on the Express Vote again.
11. Voter may request a total of two (2) ballots for a total of three (3) opportunities.
12. At the end of election night, a report must be made on the number of spoiled ballots handled.

If a voter notices before making a ballot selection that they have a wrong ballot once it appears on the touch screen, the voter may request another ballot.

1. Inform the poll worker working the Express Vote area that a wrong ballot has been issued.
2. The poll worker would then, on the touch screen, select "QUIT."
3. Screen will prompt "Quit Voting?" Select Quit Voting.
4. Another screen "Vote Session Canceled" will appear.
5. Another message will appear to eject the inserted ballot, hit CONTINUE.
6. Next screen will be a screen to enter the "Election Code" then hit ACCEPT.
7. Next screen will give you reasons to cancel the session, select one, then hit CONTINUE.
8. Next the screen will inform the Vote Session Canceled, No Votes Cast, then the inserted ballot will be returned to the voter/poll worker.
9. Then return to the check-in supervisor and follow the procedures previously stated.

#### **STEPS TO HANDLE ABANDONED BALLOTS:**

If a ballot is left abandoned in the Express Vote or the DS200 Tabulator by a voter who has left the poll without telling a poll worker to cancel the ballot, TWO (2) poll workers must:

1. Complete the process of casting the ballot to be **COUNTED**.
2. Document
  - a. The name of the voter,
  - b. The names of the two (2) poll workers completing the process of the casting of the ballot,
  - c. The time it happened, and
  - d. All the circumstances involved (See Abandoned Ballot Log on page 57-58).
  - e. If the ballot will not scan normally, follow the steps outlined in ACA 7-5-615 (d)(e) to recreate the ballot.

If a paper ballot is left anywhere else inside the polling site outside of being in the Express Vote or DS200 Tabulator, a poll worker:

1. Write ABANDONED on the face of the abandoned ballot.
2. Place the abandoned ballot in a separate envelope.

3. Write ABANDONED BALLOT on the envelope.
4. Document all circumstances on the outside of the envelope.
5. Preserve the abandoned ballots separately from other ballots.
6. Abandoned ballots, in this case, will **NOT BE COUNTED**.

*Refer to how to handle spoiled and abandoned ballots in the SBEC Training & Checklist for Poll Workers Manual pages 57-61 to assist you in handling these type of ballots.*

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# CANVASSING ABSENTEE BALLOTS PROCESS

A.C.A. § 7-5-414, 416, 417, 312

## **TASK OVERVIEW AND RESPONSIBILITY:**

The opening, processing, counting, and canvassing of absentee ballots is conducted under supervision and direction of the CBEC in a place designated by the CBEC and announced in the local newspaper's Notice of Election advertisement.

This process is open to the public and any candidate or qualified poll watcher may be present during the opening, processing, canvassing, and counting of absentee ballots and to observe the canvass of the results of the election for the purpose of determining whether or not votes are fairly and accurately counted.

A key factor of the canvassing of absentee ballots will more than likely occur during parts of the early voting period and during election day as an overlap overview of the county election coordinator and CBEC. The initial canvassing of absentee ballots needs to have trained absentee ballot clerks appointed by the CBEC to keep the processes moving efficiently and effectively.

## **FACTORS AFFECTING CANVASSING ABSENTEE BALLOTS**

\*The county clerk is required to maintain a count of the number of absentee ballot applications that have been received and the number of actual absentee ballots that have been received. The clerk is also required to report these counts to the CBEC on at least a weekly basis, this may be daily or upon request.

\*The county clerk must deliver absentee ballots and related materials to the absentee ballot clerks at a time specified by the CBEC, up to seven (7) days before election day. The county clerk must also make a report accounting for absentee ballots sent, received, and rejected and deliver that report to the CBEC.

\*Absentee ballots must be opened, processed, canvassed, and counted BEFORE THE POLLS CLOSE on election day. Election officials may begin opening and processing the outer envelopes on the Tuesday (seven (7) days) before election day.

\*Opening the inner ballot secrecy envelopes CANNOT happen until election day at 8:30 a.m. and results may not be released until the polls close at 7:30 p.m.

## BEST PRACTICE

### **DO NOT PUT OFF CANVASSING YOUR ABSENTEE BALLOTS UNTIL THE LAST MINUTE!!**

Take advantage of the seven days before election day to start opening and processing absentee ballots. Depending on the number of absentees your county may have, taking the extra time before a busy election day will reduce your stress and is one less thing you have to do on Election Day.

*Refer to the CBEC Manual pages 83-96 for a complete description of step-by-step instructions and procedures of opening, processing, canvassing, and counting of absentee ballots.*

## CLOSE THE POLLS

# POLLS CLOSE AT 7:30 P.M.

Polls close promptly at 7:30 P.M. unless a judicial order is made for extending the closing time until later in the evening (which is very unlikely).

**A.C.A. § 7-5-304, 316, 317, 524, 526, 527, 603, 613**

### **TASK OVERVIEW AND RESPONSIBILITIES:**

In most cases, the poll judges selected and designated at each election day polling site will be in charge along with help from the remaining poll workers in properly closing down each individual polling site for which they are responsible.

### **TASKS ON CLOSING DOWN THE POLLS AT 7:30 P.M.**

- \*Announce publicly the poll has closed at 7:30 p.m.;
- \*Allow any voters already in line at 7:30 p.m. to vote;
- \*Total the number of voters on the List of Voters sign-in sheets;
- \*Have poll workers certify, attest, and sign the List of Voters sign-in sheets;
- \*Start the process of closing down and packing up the Express Poll electronic tablets;
- \*Start the process of closing down and get ready for transport of the ExpressVote ballot markers;
- \*Start the process of closing down and get ready for transport of the DS200s;
- \*Account and verify the final accounting of any pre-printed ballots; and
- \*Start the process of taking posters off the walls, packing up election materials and securing the polling site.

**County to County will have different methods of picking up equipment and election materials after closing the polls. The main consistent thing each county should do is:**

\*Close the polls on the DS200, follow the easy instructions on the screen and print three (3) results tapes. The tapes are printed out and all poll workers sign. One is to remain posted at the polling site, the other two are to be taken to the county central tabulating center. Once tapes are run and polls have closed down, pull the media thumb drive out of the DS200.

\*Secure the paper ballots in the DS200 in a sealed locked ballot container.

\*Account and secure all the provisional ballots at the polling site.

\*If you have any hand-counted ballots, secure them as well.

**EVERY COUNTY SHALL BRING THESE ITEMS BACK TO THE CBEC AT THE COUNTY CENTRAL TABULATION CENTER ON ELECTION NIGHT:**

- **DS200 Results Tapes**
- **DS200 Paper Ballots**
- **DS200 Thumb Drive**
- **Any Provisional Ballots**
- **Any Spoiled or Abandoned Ballots**
- **Any Ballots for CBEC to Remake**

*Refer to the Training Guide and Checklist for Poll Worker Manual pages 63-78 and the CBEC Manual pages 80-83 to verify you have all the extra instructions and procedures to properly close down a polling site on election night.*



# BALLOT VOTE COUNTING ON ELECTION NIGHT

A.C.A. § 7-5-315, 416, 525, 527, 529, 603, 613

## **TASK OVERVIEW:**

All eligible ballots shall be counted within the timeframes set out by statute. There are four (4) main groups of votes that must be considered before certifying the election. Three (3) of those groups are done on Election Night.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for overseeing the counting of ballots. The election coordinator and other designated officials can help assist and complete the count process.

## **PREPARATION FOR COUNT PROCESS:**

You will have vote totals from these four (4) sources to obtain preliminary results and eventual certified results: Early Vote, Election Day Vote, Absentee Vote, and Provisional Vote.

### EARLY VOTE

Early vote will be the first vote total that will be public on election night at the county central tabulating location. Because early vote concludes at 5:00 p.m. on the Monday before Election Day on primary and general elections (*4:30 p.m. on the Monday for runoffs, school, and special elections*), result totals are ready to be run at 7:30 p.m. on Election Night on the early vote DS200(s). Since election day polling sites usually take some time to come in on election night, this gives ample time to run early vote results. Once the results tapes are run, the early vote DS200(s) thumb drive(s) will be inserted in the Secretary of State's Electionware reporting system laptop. The thumb drive results will then be compared to the results tape to see they compare to each other.

### ABSENTEE VOTE

Absentee vote will be the second vote total run at the county central tabulating location on election night. You can report early and absentee vote totals at the same time if you wish.

Absentee ballots are required to be counted by 7:30 on Election Night. However, since absentee vote can sometimes take longer because it is a different paper ballot and is usually folded, the counting process may take longer than usual because it is not as fast and efficient as the early vote. This occurs when you have a large number of absentee ballots cast especially in the larger counties. Most counties will run the absentee ballots through a designated absentee DS200(s). If absentee count is low, some counties may choose to hand count and enter the totals by precinct and by hand on the SOS Electionware reporting system. SBEC highly recommends running all absentees through a DS200. Also, the final absentee count may not be fully complete because overseas absentee (UOCAVA) ballots have an additional grace period to arrive by an extra ten (10) days to the county clerk's office.

#### ELECTION DAY VOTE

Normally the first polling site(s) election day totals will start coming into the central tabulating location approximately 30 to 45 minutes after the polls close at 7:30 p.m. The results tape from the election day polling sites have already been run prior to coming to the central tabulating location. Election judges or designated election officials will bring back the polling site ballots, results tapes, DS200 thumb drives, provisional ballots, and other selected election materials to the central tabulating location. The process continues until all polling sites results have arrived and it has been verified that results tape and the thumb drive totals are the same from each site. All election media thumb drives will be inserted in the Electionware laptop SOS reporting system site. Preliminary unofficial results must be uploaded to the SOS website. Once all results are entered in the laptop, uploaded to SOS, and an email is sent to SOS with the number of outstanding UOCAVA and provisional ballots, and unofficial results are announced to the public, election night duties are done for the night. **GO HOME AND SLEEP!!**

#### PROVISIONAL VOTE

The fourth group of provisional ballots from early vote, election day, and absentee vote are normally not counted until after election night. ***However, it is important to remind you again to report to SOS on election night how many provisionals and overseas absentee ballots are outstanding.*** The reason they are not counted on election night is usually the county clerk's office must verify voter registration to determine if a voter's ballot can be counted or not. If a provisional ballot was issued because the voter did not provide a photo ID, the voter has a grace period to present ID to the County Clerk or the CBEC in a public meeting at noon the following Monday so the CBEC can make that provisional a countable ballot. All provisionals found eligible to be counted must be tallied before the certification deadline ten (10) days after the primary election and fifteen (15) days after the general election. Special election deadline certification must be done within ten (10) days.

# PROCEDURES FOR “HAND COUNT” COUNTIES

A.C.A. § 7-5-601, 602, 603

**This section is only for counties whose quorum courts require their CBECs to conduct a hand marked and hand counted election.**

## **Act 350 and Act 743 of 2023**

Act 350 and Act 743 provides procedures for a county which chooses to conduct its election primarily using hand marked, hand counted ballots. Act 743 was passed subsequently in order to revise and extend policies established in Act 350. With the two acts together, Act 743 controls in any circumstance where the two acts are in conflict.

### **GENERAL PROVISIONS:**

These acts require that the ballots used must be compatible with the DS200 and DS450 electronic tabulators. This applies to all general elections and preferential primary elections regardless of the number of ballots cast. In addition, the act clarifies that a county choosing to hand count in place of tabulators is responsible for the cost of watermarked pre-printed ballots, any additional equipment necessary, and the labor costs associated with conducting a hand count. However, the county is eligible to receive reimbursement for all reimbursable election costs not addressed that are excluded by this act. The act reiterates a ballot marking device(s) shall be available to voters in order to comply with the requirements of state and federal law regarding voters with disabilities.

### **REQUIREMENTS FOR VOTING EQUIPMENT AND ELECTION MATERIALS/SUPPLIES FOR POLLING SITE SET-UP:**

- \*ESS/SOS approved electronic pollbooks for check-in purposes
- \*At least one ESS/SOS approved ExpressVote ballot marking device for ADA purposes or general voting
- \*At least one ESS/SOS approved DS200 tabulator to accept watermarked, pre-printed, hand marked ballots and regular ExpressVote paper ballots
- \*A sufficient amount of precinct watermarked pre-printed ballots for hand mark purposes for each polling site

\*All other sufficient supplies, posters, signage, sample ballots, etc. to meet the other statutory requirements of election materials of each polling site as with any other Arkansas polling site

#### **PROCEDURES FOR HAND COUNTS:**

\*All ballots to be hand counted must first be counted using an electronic vote tabulation device (DS200 or DS450), except in certain elections involving fewer than 5,000 registered voters.

\*Unofficial results must be reported to SOS within 24 hours of the poll closing. Results tapes are posted at the polling site as done in all elections.

\*The hand marked ballots must be secured in a sealed double-locking hard shell ballot box for transportation to the designated hand count location and be sealed and initialed by at least two (2) election officials. The designated hand count location must be announced at least 30 days prior to the election.

\*The hand count must be conducted by precinct so ballots must be sorted by precinct and by ballot style within each precinct. Each ballot shall be counted by at least two (2) election officials verifying the voter's selection. When ballots are not being counted, they must be stored in a secure location.

\*SBEC recommends each counting team use the same procedure and process to hand count to be consistent, so count team members know each team's process in case they rotate to one team or another. The CBEC shall ensure there is a minimum of four (4) election officials to hand count ballots at all times.

\*When questions of voter intent arise, it is the CBEC's responsibility to resolve those questions.

\*If two (2) or more paper ballots are found folded together, it shall be considered as conclusive evidence the paper ballots are fraudulent, and neither of the paper ballots shall be counted.

\*If a paper ballot is found to contain marks for more than the maximum allowable number of candidates in any one (1) contest, the contest shall be considered overvoted, and it shall be the responsibility of the CBEC to determine the voter's intent.

\*The hand count of paper ballots shall be completed a minimum of twenty-four (24) hours before the election certification deadline. **IF NOT**, the electronic tabulation results run on election night plus any counted provisionals, absentees, and UOCAVA ballots added to the results shall be certified as the results of the election.

\*After the count is completed, the poll workers shall make out the certificates of election in triplicate and immediately post one (1) outside of the hand count tabulation center.

**PUBLIC OBSERVATION OF THE CANVASSING AND HAND COUNTING PROCESS:**

Public observers may not be within three (3) feet of the poll workers counting the paper ballots. If space is limited, candidate representatives and political party representatives are prioritized to have access to the canvassing and counting process.

A candidate in person, or an authorized representative of the candidate or political party, shall be permitted, upon a request being made to a poll worker, to inspect any or all paper ballots after the paper ballots have been counted.

At no time anyone, but election officials, may touch the ballots.

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# REMAKING OF DEFECTIVE BALLOTS

A.C.A. § 7-7-5-615

## **TASK OVERVIEW:**

Be able to properly remake a ballot that has become defective or damaged in some way so it can be read and counted by the DS200/450.

## **TASK RESPONSIBILITY:**

The remake process should occur at the county's central tabulating location under the direction of the CBEC. Election officials at the polling site(s) will have training and direction to properly duplicate a ballot following prescribed procedures. The duplicate ballot shall be substituted for the defective ballot.

## **STEPS TO BALLOT DUPLICATION:**

1. At least two election officials shall reproduce the selection of the voter on a second ballot that is the same ballot style as the original ballot cast by the voter.
2. Know on the front end how many ballots you are remaking, reconcile this number before counting.
3. Remake ballots on the ExpressVote
4. Stamp or write the word "duplicate" on the duplicated ballot.
5. Stamp or write the word "original" on the original ballot defective or damaged ballot.
6. Label both the original defective or damaged ballot and the duplicate ballot with the same unique serial number.
7. Substitute the duplicated ballot for the original defective or damaged ballot.
8. Count the duplicated ballot on the DS200 separate from the other ballots.
9. Secure and separately store the original defective or damaged ballot in the same manner as other ballots in the election.

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# REPORTING ELECTION NIGHT PRELIMINARY AND UNOFFICIAL RESULTS TO SECRETARY OF STATE

*Legal requirement – Preliminary and unofficial results from the counties are to be sent to SOS on election night as soon as practical.*

**A.C.A. § 7-5-416, 701, 707**

## **TASK OVERVIEW:**

As results are received and tabulated on election night, the CBEC shall declare preliminary and unofficial results of the election as soon as early voting, absentee, and individual precinct results are tabulated and shall immediately transmit the results by precinct to the Secretary of State through the election night Electionware reporting interface laptop. Also, the number of outstanding provisional ballots and outstanding UOCAVA ballots must be accounted for and reported on Election Night.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for overseeing the counting of ballots and sending results to the SOS website. The election coordinator and/or county clerk may be designated officials to assist and complete the count process.

## **PREPARATION FOR SENDING ELECTION RESULTS TO SOS:**

The Arkansas Secretary of State's Office (SOS) uses an online reporting system called ElectionWare. County election officials will upload election results from the DS200 tabulator and send to SOS through the ElectionWare system. The results are then displayed on the SOS website. Every county is displayed as results come in during Election Night after the polls close at 7:30 p.m.

SOS is responsible for the initial set-up of the ElectionWare system so county users have access and upload election results throughout Election Night. SOS will provide trainings and support for counties on how to properly upload results.

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Contact your SOS Election Coordinator for proper steps and procedures to enter vote count data or if you forget your username and/or password for ElectionWare.

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# RECOUNTS

*Legal deadlines – Candidate requesting a recount must present a petition to the CBEC no later than two (2) days after the CBEC declares preliminary and unofficial results of the election.*

**A.C.A. § 7-5-319**

## **TASK OVERVIEW:**

To provide any candidate who may be dissatisfied with the election results the opportunity for a recount of the votes cast.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for conducting the recount with the assistance of the election coordinator and/or the County Clerk.

## **TASK DEADLINE:**

When the number of outstanding absentee ballots of overseas voters, combined with the number of uncanvassed provisional ballots, is NOT sufficient to change the outcome of the election, the candidate must present a petition to the CBEC no later than two (2) days after preliminary unofficial results are announced. This shall include a statement of the number of outstanding absentee ballots of overseas voters.

When the number of outstanding absentee ballots of overseas voters, combined with the number of uncanvassed provisional ballots, IS SUFFICIENT to potentially change the results of the election, the candidate must present a petition at any time:

- 1) The CBEC commissioners finally complete the canvass of the returns of the election and certify the result; or
- 2) Twelve (12) noon on the seventh (7<sup>th</sup>) day following the election.

The actual recount shall then be conducted ASAP after notifying all affected candidates.

**The CBEC can decide to conduct a recount on its own motion if there is doubt about the result. This may be done without a request from the candidate. If an advocate(s) for or against a measure requests a recount, the CBEC will use its discretion to conduct the recount. If the CBEC decides to conduct a recount on their own, the county will bear the cost of the recount.**

#### **PREPARATION FOR CONDUCTING A RECOUNT:**

1. Determine the number of outstanding UOCAVA ballots and/or provisional ballots that might determine the outcome.
2. CBEC must notify all candidates whose election could be affected by the outcome of the recount within two (2) days of receiving the petition for recount.
3. CBEC shall set a date ASAP for the recount that is convenient for both parties.
4. Appoint trained experienced poll workers to assist in the recount.
5. All ballots counted previously before the recount shall serve as the official ballot to be recounted.
6. Recount each precinct or other grouping of ballots necessary to recount all ballots cast in the race of the candidate requesting the recount.
7. Review any ballots which were duplicated due to damage or defect to ensure that the selections on each duplicated ballot match exactly to an original ballot for which a duplicate ballot had been created.
8. If a paper ballot cannot be used due to damage, a remade ballot produced from the CBEC can be used as the official ballot to be recounted.
9. Votes cast on paper ballots must be recounted in the same manner as the initial count. Depending on the size of the recount, the CBEC may also hand count the ballots at its discretion.
10. Create a certified results tape for each batch of ballots counted.
11. Manually compile county wide totals from the results tapes produced during the recount. Verify the totals match the original results tapes produced on election night.
12. Only one (1) recount per candidate per election is permitted.
13. The CBEC shall certify the results of the last recount.
14. After the recount is certified, the ballots recounted must be sealed and kept as provided by law.

**COST OF THE RECOUNT:**

1. The CBEC shall determine the actual costs incurred to conduct the recount. The CBEC may charge the candidate petitioning the recount up to a maximum of twenty-five (\$0.25 cents) per vote in the precincts where the recount is requested or a total of two thousand five hundred dollars (\$2,500) for the entire county, whichever is LESS.
2. The CBEC must collect payment for the recount from the candidate petitioning for the recount before conducting the recount.
3. If the recount changes the outcome of the election, the cost shall be refunded to the candidate.

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# RUNOFF ELECTION POSSIBILITIES

*Legal deadlines – to determine polling sites for runoff elections, if needed, the CBEC must vote to determine 60 days in advance of the preset runoff date of election what polling sites are to remain open.*

**A.C.A. § 7-5-101, 7-5-106. 7-7-202-203, 304, 305, 309, 401**

## **TASK OVERVIEW:**

After each primary and general election, there is an automatic runoff election date set four (4) weeks later if needed. Once it is determined there will be a runoff election between the two (2) highest vote candidates, plans begin again for another election like the preceding one whether it is just one race or a dozen races to be decided.

## **TASK RESPONSIBILITY:**

The CBEC will determine if a runoff election will occur after unofficial and preliminary results (not counting any overseas ballots that may determine an outcome) show there is no majority of fifty percent (50%) plus one winner of votes cast in a three or more-candidate contest in a state, district, or county race.

In municipal contested races, the majority percentage changes to forty (40%) percent of votes cast. A candidate who receives a plurality of forty percent (40%) of the votes cast must obtain at least twenty percent (20%) more of the votes cast than the second-place candidate for the office to avoid a runoff election.

## **DEADLINES:**

Polling Site Selection – 60 Day (March 4 deadline for CBEC to vote for general primary runoff)

60 Day (November 4 deadline for CBEC to vote for general election runoff)

Final dates to have runoff absentee ballots to the county clerk –

March 23 for general primary runoff

November 23 for general election runoff

### **PREPARATIONS FOR RUNOFF ELECTION:**

1. Follow all election procedures and steps as you did for the previous election.
2. Even with the ballot being shorter and possibly dealing with fewer polling sites depending on the runoff candidates and what they are running for, it still takes practically the same amount of time to get everything ready for the runoff election.
3. You **DO NOT** do a public ballot draw as the names will remain in the same order as the previous election.
4. You do have a much shorter time frame to get everything done in a runoff election than you did in the previous election because of the four (4) week time frame.
5. Getting media information and thumb drives sent in quickly to ES&S especially for the ES&S counties versus the PYO counties is crucial.
6. The absentee ballot delivery to the County Clerk is a tight time frame because the last day to deliver to the County Clerk is only ten (10) days from election day. In the general election runoff, this falls on the Thanksgiving holiday weekend.

### **CLARIFYING VOTE CENTER RUNOFF SITES:**

1. In a vote center county that does not establish an assigned polling site for each precinct, the polling sites for a runoff election are the sites that were located in the territory of the jurisdiction, district, ward, or other political boundary. If no poll would be opened under this general rule, the CBEC is required to open a poll in the territory or the county seat if establishing a poll inside the area participating in the runoff is not possible.
2. The CBEC shall not change a vote center location less than sixty (60) before a preferential primary election or general election, except in the event of an emergency.
3. The CBEC may add additional polls after the deadline to move or close polls. The addition of a poll may be done by **majority** vote but must be completed prior to publication of the notice of election to serve the county's qualified electors.

### **REIMBURSEMENTS:**

The preferential primary general runoff election is a state reimbursable election from the SBEC. The process is the same as the preferential primary reimbursement with only minor changes. The reimbursement excel forms are located on the SBEC website at [www.arkansas.gov/sbec](http://www.arkansas.gov/sbec).



# PROVISIONAL BALLOT PROCESS PROCEDURES

## ONE DAY AFTER THE ELECTION

*Legal Deadline – The CBEC shall provide the provisional ballot copies and electronic provisional ballot list to the County Clerk no later than one (1) business day following election day.*

**A.C.A. § 7-5-617**

### **TASK OVERVIEW:**

The passage of Act 329 of 2023 requires CBEC securely transport provisional ballots after the polls close from each polling site to the central tabulation.

### **NEW STEPS TO SECURE PROVISIONAL BALLOTS:**

\*A poll worker is to verify every provisional ballot envelope is completed fully. The poll worker is required to write his or her name, the polling location, the date, the reason the ballot is provisional, and sign the envelope.

\*All provisional ballots shall be placed in a secure container located within the polling site which can be observed by the public.

\*After the polls close, the provisional ballots are to be transferred from the polling site to the central tabulation center in a **team of two (2) election officials**.

\*Officials transferring ballots are required to execute a “ballot transfer form” which captures the following information:

1. Date;
2. Time;
3. Location ballots were acquired;
4. Number of provisional ballots in each container;
5. The names of the election officials transporting the ballots; and
6. The location where the ballots were delivered.

\*The CBEC, or its designee, shall sign the ballot transfer form when the ballots are received.

\*In addition, the secure container used to transfer marked provisional ballots from the poll must have the following information visibly displayed on the container:

1. The number of marked ballots;
2. The location where ballots were cast; and
3. The names of the officials transporting the ballots.

\*When the CBEC receives provisional ballots, it is required to “electronically record” the following information:

1. The first and last name of each provisional voter;
2. Each voter’s address;
3. Each voter's date of birth;
4. The date the ballot was marked;
5. The location the ballot was marked;
6. The name of the election official documented on the provisional ballot envelope; and
7. The reason(s) the provisional ballot was cast.

***“Electronically record” can be a varied method – excel file, picture of envelope taken from a phone, etc.***

\*Within one (1) business day of the election, CBEC shall provide a photocopy of each provisional ballot envelope to the county clerk along with the list described above.

\*Following the county clerk’s review of the provisional ballots, the CBEC is required to ensure the clerk reviewed each ballot submitted.

# PROVISIONAL BALLOT COUNT AND TRANSFER FORM

REQUIRED BY ACT 329 OF 2023

Election: \_\_\_\_\_

Site: \_\_\_\_\_

Delivered to: \_\_\_\_\_

Seal Number \_\_\_\_\_ Replacement Seal #, if needed: \_\_\_\_\_

**PROVISIONAL BALLOT ENVELOPE COUNT:** \_\_\_\_\_

## DELIVERED BY:

\_\_\_\_\_  
Signature/Date & Time

\_\_\_\_\_  
Signature/Date & Time

## RECEIVED BY:

\_\_\_\_\_  
Signature/ Date & Time

## RECEIVED BY/SEAL VERIFICATION/COUNTY VERIFICATION:

\_\_\_\_\_  
Signature / Date & Time

**PROVISIONAL BALLOT ENVELOPE COUNT:** \_\_\_\_\_

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# HANDLING CURED PROVISIONAL BALLOTS AND UOCAVA BALLOTS

*Legal deadline to handle cured provisional ballots shall happen at a 12:00 noon meeting on the Monday following the election. All UOCAVA ballots can be accepted by 5:00 pm ten (10) days after the election.*

**A.C.A. 7-1-101, 7-5-308, 7-5-406, 7-5-411, 7-5-417, 7-5-418**

## **TASK OVERVIEW:**

The CBEC will conduct a public hearing beginning at 12:00 (noon) on the Monday following the election to consider a voter provisional ballot with provided evidence said ballot is valid and shall be counted for that election.

The CBEC is also responsible to make count determinations of any UOCAVA ballots received by the ten (10) day by 5:00 pm deadline.

## **PROVISIONAL BALLOTS**

Before final certification, the CBEC must review and determine the validity of every provisional ballot. Unless directed otherwise by a court of competent jurisdiction, a provisional ballot, other than a ballot made provisional due to the voter's failure to verify their voter registration, is counted if it is cast by a voter who is lawfully registered in the county and is cast on the correct ballot for the precinct of the voter's residence. Also, a ballot cast for failure to verify voter registration may be counted if the voter returns to the CBEC or the county clerk by 12:00 noon on the Monday following the election and submits a valid photo ID.

Each provisional voter must be notified by first class mail whether his or her vote was counted, and if not, the reason for rejecting the provisional voters' ballot and of the date, time, and place for a hearing before a final determination is made. The CBEC shall include all provisional ballots found to be valid in the final count and certification.

## **UOCAVA – Uniformed and Overseas Citizens Absentee Voting Act**

All overseas absentee ballots that were properly executed by the day of the election and received by the county clerk by 5:00 p.m. ten (10) days after the election must be counted and included in the final certification of the election regardless of whether the outcome of the election would change.

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# AFTER-ELECTION EQUIPMENT PICK-UP FROM POLLING SITES

*This is not a legal deadline but a rule of practice. The remaining equipment and election materials not brought back to election night headquarters are picked up the following day (Wednesday) from the polling sites.*

**A.C.A. § 7-5-301, 525**

## **TASK OVERVIEW:**

As with the delivery of the voting equipment and election materials before the election, the pick-up of the voting equipment and election materials not brought back on election night needs pick up the next day (Wednesday). Many of the same planning and details of delivering the voting equipment and election materials need to be applied on the pick-up as well.

## **TIPS ON PICK-UP:**

1. Hopefully your pick-up plan will follow the same plan as delivering the equipment.
2. Always make certain you have followed-up on the timing with everyone at the polling site for the next day while making certain time, keys and having someone letting the pick-up people inside to get everything is planned.
3. Once a pick-up or series of pick-ups are ready to be brought back to the main election office/facility, have pre-chosen spots marked inside for the individual polling site equipment and materials used together by polling site to keep the equipment organized and easily located for any maintenance for future elections.
4. It is a good practice to keep a log-in sheet to have a record when equipment is brought back.

## **REIMBURSEMENT INFORMATION:**

As with delivery reimbursement, picking up equipment and materials is reimbursable by SBEC for the primary election and subsequent run-off on the state funded expense form. Contract labor at minimum wage (\$11.00 an hour) for moving equipment and materials, individual vehicle mileage (currently \$0.52 a mile) for transporting, truck/trailer rental (i.e., U-Haul, etc.) and/or business delivery companies are reimbursable with proper documentation. Expense forms are located on the SBEC website under the Forms & Checklist tab, [www.arkansas.gov/sbec](http://www.arkansas.gov/sbec).

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# CBEC PRE-CERIFICATION HAND COUNT AUDIT PROCEDURES

A.C.A. § 7-5-603

## **TASK OVERVIEW:**

The CBEC may, at its own discretion, or upon a county quorum court recommendation, audit the accuracy of vote totals by hand counting the previously counted electronic tabulated election ballots before certifying the election. This helps ensure the accuracy of the county's electronic voting equipment and shows the public, the county's election process is held in an accurate, legal, and honest manner as prescribed by the election laws of Arkansas and the United States.

## **TASK RESPONSIBILITY:**

The CBEC has the responsibility to conduct the audit hand count as a commission along with the county election coordinator and/or other sworn-in bipartisan election officials to help in conducting the hand count audit of an election.

## **RECOMMENDED STEPS IN AUDIT HAND COUNTING BALLOTS:**

1. Determine the process of how many ballots you wish to hand count (*all or a percentage (%) of the total ballots cast*), the number of random polling sites you wish to count, and the number of random selected contested races on the ballot you wish to count (*it is recommended to count races that appear on every ballot unless there is a specific non-countywide race you wish to re-check*). Then determine how many election officials it will take to hand count the ballots within a reasonable amount of time to achieve your results.
2. Retrieve the DS200 tabulator results tape totals from the random selection.
3. Develop a reconciliation ballot form to account for the results of the hand count total versus the DS200 results tape total.
4. Collect the chosen ballots from their sealed ballot container, open in front of election officials and any public attending to witness the hand counting.
5. Each election official assisting in the hand count should take a polling site set of ballots as a whole to count.

6. If the number of ballots in a polling site is in the hundreds or thousands, count the ballots in groups of fifty to hundred (50-100) at a time. Handle smaller bundles at a time instead of the whole polling site makes it easier to find any mistakes when counting.
7. Begin by taking the random selected contested race and start sorting by the candidates appearing on the race into individual stacks including any undervote ballots (*indicating no candidate selected*).
8. Once sorted by candidate, start hand counting each stack and place the counted ballots in small stacks (*from 10 to 25 ballots to a stack recommended, it's easier to find any discrepancies in counting at the end of the count if the hand count total does NOT match up with results tape totals the first time*).
9. Once you count your overall stacks, totals will match up with the DS200 results tape totals.
10. If not, repeat the process by counting the stacks again until the discrepancy is found and then explained to the other election officials and any one from the public witnessing the hand count what occurred.
11. If an objection is raised by anyone, set aside the ballots, and let another election official repeat the process.
12. If the totals match, announce the results to the remaining election officials and to the public witnessing the hand count, then record the numbers on the reconciliation form along with the DS200 serial number, and the election official conducting the hand count for that polling site signs his/her name and dates the form.
13. If you are counting more than one (1) contested race on the ballot, take a small rest break, then repeat the process again using the previous above recommended steps for the other random selected race(s).
14. **EXCEPTION:** Some counties may choose to count all the races on the ballot. If a county chooses to do so, SBEC would recommend each team of counters use the same procedures agree upon by the county beforehand. When counting multiple races at one time, it is recommended to have teams of 3-4 to better keep track of accurate counts. Also, as mentioned before, if you have a large number of ballots then breaking them down in stacks of 10-25 may help alleviate any discrepancies and make it easier to find where your count may be off.
15. If you are tasked to count more than one (1) polling site, take a small rest break before starting another hand count audit on the other random selected polling site.
16. Once all polling sites are hand counted, announce a total number of ballots hand counted and the total results.

### **BEST PRACTICE**

Before starting a hand count, have election officials be rested and alert. Hand counting is a tedious and time-consuming task. Insist on silence from public observers in order for the election officials to focus on the hand counting. Have plenty of fingertip moistener on hand for the election officials to handle the ballots more easily and efficiently.

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# CERTIFYING THE ELECTION RESULTS

*Legal Deadlines – No earlier than forty-eight (48) hours after the election and no later than the fifteen (15<sup>th</sup>) calendar day after the election, the CBEC, from the certificates and ballots received from all the voting precincts, shall proceed to ascertain, declare, and certify the result of the election to the County Clerk and to the Secretary of State.*

**A.C.A. § 7-5-701, 707, 7-7-203, 309**

## **TASK OVERVIEW:**

After declaring preliminary and unofficial results of the election as soon as early voting, absentee, and individual precinct results are tabulated on election night, provisional ballots and any overseas - Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) – absentee ballots are counted afterwards, the CBEC shall begin the process of certification of the election of all votes cast during the election to the Secretary of State Elections Division Office.

## **TASK RESPONSIBILITY:**

The CBEC must complete certifying the election results once all ballots are accounted for and sign an Abstract of Returns certification verifying the votes cast are accurate and final. The election coordinator and county clerk may assist in completing the final process.

## **DEADLINE:**

No later than ten (10) days after the primary election and no later than fifteen (15) days after general election, the Abstract of Returns must be sent to the Secretary of State Elections Division Office.

## **PREPARATIONS FOR CERTIFYING THE ELECTION:**

1. Collect all precincts vote total tape results from all polling sites from Election Day including all Early Vote tape results from all locations.
2. Collect all absentee ballots and the tape results (or hand counted tally sheets, whichever was used to gather absentee vote counts).
3. Count and finalize final vote counts from provisional ballots after the noon deadline of the following Monday after the election.
4. Count and finalize vote counts from all UOCAVA overseas ballots received by the county clerk by 5:00 p.m. ten (10) days after the election.

5. All final votes shall be entered by precinct for certification.
6. In most cases, all the certification work will be done at the County Clerk's office, or in a few cases in larger counties, at the Election Central headquarters facility.
7. Compile all vote counts on the Abstract of Returns form and transmit the certified results for each precinct to the Secretary of State via the internet website provided by SOS, or by facsimile, if not.
8. Copies should also be file-marked at the county clerk's office with copies to the CBEC and election coordinator's office.
9. After certification, the CBEC members are now able to receive compensation for election duties and attendance trainings performed.
10. Any county not complying with the certification process and the deadline, the SOS shall file a complaint with the SBEC under A.C.A. § 7-4-120.
11. It is important that all CBEC members sign the Abstract of Returns certification form since it is used by the SBEC to verify CBEC members worked throughout the entire election process and receive compensation for their election meetings and mandatory trainings.

# COUNTY CANDIDATE CERTIFICATE OF ELECTION

*Legal deadline – Within nineteen (19) calendar days after any general, special, or school election, the CBEC shall deliver a certificate of election to the person having the highest number of legal votes for any county office. All other offices above the county level are handled by the Secretary of State's office.*

**A.C.A. § 7-5-701**

## **TASK OVERVIEW AND RESPONSIBILITY:**

The CBEC is required to provide a certificate of election to each winning contested and unopposed candidate in every county/township/municipal office. The county clerk can provide the appropriate forms that have to be completed. The election coordinator and/or county clerk may also assist in sending the forms to the winning candidates.

## **DEADLINE:**

Within nineteen (19) days, a certificate of election shall be sent to candidates who received the highest number of votes cast.

## **PREPARATIONS FOR SENDING NOTICES:**

1. Determine who is responsible for sending the certificate of election out to winning candidates.
2. If it is not the County Clerk, have a member of the CBEC or election coordinator contact the county clerk for the notice forms.
3. Send forms to all contested and unopposed winning candidates. There will be instructions on the form for where to send it after completion and if any money must be sent in.

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# BALLOT DISPOSITION REPORTING

*Legal Deadline – Within thirty (30) days of each election held, the CBEC shall submit a report of provisional ballots and rejected ballots. Within sixty (60) days of each election held, the SBEC shall compile all the county's data and make the reports publicly available.*

**A.C.A. § 7-5-906**

## **TASK OVERVIEW AND RESPONSIBILITY:**

The CBEC shall provide an accounting of provisional ballots and rejected ballots after each election. The report documents the number of votes cast, counted, and rejected along with various reasons for any rejection. The CBEC may also designate a person to complete the form who can attest to the information provided on the report is correct.

## **COUNTY DEADLINE:**

Within thirty (30) days after each election held.

## **PREPARATION FOR COMPLETING THE REPORT:**

1. The Ballot Disposition Report is an SBEC-produced fillable Excel spreadsheet which helps calculate totals in key areas. Please use the Excel form and not a hand marked hard copy form. It is located on the SBEC website under the Forms and Checklist header.
2. Information needed to complete the report:
  - \*Number of provisional ballots cast both Early Vote and Election Day, and the reason why it was cast provisional.
  - \*Number of absentee ballots total and how many were made provisional and the reason it was made provisional.
  - \*Number of rejected absentees not made provisional and the reason they were rejected.
  - \*The total number of in-person regular ballots for both Early Vote and Election Day.
3. Contact SBEC office if any problems arise concerning completing the report.

### **BEST PRACTICE**

Review the Ballot Disposition Report before the election and develop processes to collect the data you will need. Then when you finalize your election certification to SOS, you have all the available information handy to complete the BDR at that time without delay.

# SBEC POST-ELECTION AUDIT

*Legal deadline – Counties will be informed within two (2) months after the primary and general elections if selected to participate in a post-election audit of a county's vote tabulators. The selection is random, although there are stipulations each region of the state will be represented, and size of the counties will play a part in the selection.*

**A.C.A. § 7-4-121**

## **TASK OVERVIEW:**

The post-election audit ensures the integrity and accuracy of the voting process within the county and in relation to the state overall. The audit will compare the polling site's electronic tabulator printed results tape to the hand-count process conducted by SBEC. The audit is to compare only the count process. The process has been called "a reverse L & A test."

## **TASK RESPONSIBILITY:**

SBEC staff will conduct the audit. County election officials' responsibility is to provide the tabulator counted paper ballots along with the results tape from each polling site.

## **PREPARATIONS FOR THE POST-AUDIT PROCESS:**

1. The SBEC will select by lot the counties, polling sites, and early vote sites.
2. A sufficient number of polling sites will be selected by lot to obtain a meaningful sample.
3. The paper ballots from each polling site shall be available to the SBEC along with the results tape from that polling site.
4. A predetermined race selected by the SBEC will be chosen to be the audit race.
5. The audit will compare the hand count total of the predetermined race selected to the same race on the results tape total.
6. If there is a discrepancy in the count, steps will be taken to try and find the difference first before entering a final count on the final audit report.
7. The findings of a county's post-election audit will be compiled with other audit counties and a report with the findings will be made public.

### **BEST PRACTICES:**

1. Once the election is over, make certain all ballots from each polling site from the DS200 are sealed and secured. They should be placed in a secure container of some type. Make certain ballots are also secured with a rubber band or some type of secure packaging to keep ballots from getting loose and get into other polling site's ballots if multiple sites are in one secured container.
2. Keep the results tape and related ballots together.
3. Remember, if you are a vote center county especially, it will be near impossible to match ballots with another polling site ballots if they get mixed.

# RETENTION OF ELECTION FILES AND BALLOTS

*Legal deadlines – all election materials including ballots, ballot stubs, voter statements, envelopes that contained ballots, affidavits provided to the county clerk, absentee ballot list, absentee ballot applications, list of absentee ballot applications, precinct voter registration lists prepared for an election, and any other election material relevant to the process must be maintain for a period of two (2) years before being allowed to be destroyed.*

*Unused paper ballots may be destroyed after an election is certified to the Secretary of State under §13-4-306.*

**A.C.A. § 7-5-701-702, 7-1-112, 13-4-306**

## **Election materials legal retention policies:**

### **MAINTAINED PERMANENTLY:**

1. Voter registration record files;
2. Maps of election precincts from the CBEC;
3. Certifications of election; and
4. Ordinance election results.

### **MAINTAINED FOR TEN (10) YEARS:**

1. A person's cancelled voter registration record and reason for cancellation, and
2. Minutes of CBEC meetings.

### **MAINTAINED FOR FIVE (5) YEARS:**

1. Petition, certificate, and notices for ordinance;
2. Political practice pledges;
3. Campaign contribution and expenditure sheets;
4. Code of ethics statements; and
5. Financial disclosures.

MAINTAINED FOR TWO (2) YEARS:

1. Acknowledgement notices giving the disposition of a person's voter registration application;
2. Confirmation notices mailed by the county clerk to confirm a voter's change of address or name;
3. Confirmation returns cards received in response to confirmation notices;
4. Voter registration cards;
5. All marked ballots and ballot stubs;
6. Any petitions, signatures, or other documents pertaining to a measure on the ballot.

**DESTRUCTION OF ELECTION MATERIALS BY THE CBEC AUTHORITY:**

After a period of two (2) years, the CBEC shall enter an order to the county clerk directing the destruction of election materials which fall within the mandatory two (2) year retention policy of election materials.

Any person knowingly destroying election materials before the two (2) year deadline and convicted is guilty of an unclassified felony and shall be sentenced to a term of no less than one (1) year and no more than six (6) years and pay a fine of up to ten thousand dollars (\$10,000).

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*Sample of destruction order*

Date:

The Anywhere CBEC hereby orders the destruction of the below listed election records to be conducted by Shred and Shred, Inc.

Under A.C.A. 7-5-701, 7-5-702 and 13-4-306, these records can be destroyed after meeting the required timelines provided in retention election law:

2020 Primary Election Ballots and Ballot Stubs

2020 General Election Ballots and Ballot Stubs

The records destruction shall occur on -----date-----.

Signed by individual CBEC members

# ELECTION LAW ENFORCEMENT

*It's important to know who is responsible for certain aspects of election law. In today's world, "election integrity" is a key phrase in people's vocabulary. Since Arkansas has had a stellar performance in conducting elections in the past, making room for improvements, recognizing problems before they happen, and taking care of problems as they arise are keys to keep our state high in performance.*

**A.C.A. § 7-4-120, 7-5-510, 7-5-305, 308**

## **EQUIPMENT COMPLAINTS:**

Voting Equipment – Secretary of State Elections Division is responsible for the state's voting equipment purchases and maintenance agreements. The CBEC will provide voting equipment complaint forms provided by the SBEC at each polling site. All complaints from the polling sites must be forwarded to the CBEC with a copy provided to the SOS.

## **WRITTEN COMPLAINTS:**

Election Law Violations – Written complaints concerning any law violation or irregularity received by the CBEC must be forwarded to the SBEC.

The SBEC has developed rules, procedures, and forms for filing complaints related to HAVA and non-HAVA violations of election and voter registration laws. They are available at [www.arkansas.gov/sbec](http://www.arkansas.gov/sbec).

## **VOTER IDENTIFICATION:**

For persons failing to provide proper photo identification, the CBEC may review the precinct voter registration records for voters and determine if there is clear violation of election law, then forward it to the county attorney or county's prosecuting attorney for investigation of possible voter fraud.

**ABSENTEE AND/OR PROVISIONAL BALLOTS:**

When examining absentee and/or provisional ballots before certification of results of the election, if the CBEC suspects a possible violation of election laws has occurred, the CBEC may refer the matter to the county attorney or prosecuting attorney.

In the event the CBEC receives a provisional ballot cast due to a voter having been already marked in the precinct voter registration list, the CBEC is required to report this to the SBEC within 30 days of the election.



# ELECTION COURT CHALLENGES

*Legal deadline – To contest the certification of nomination or the certificate of vote of an election, the complaint shall be filed within twenty (20) days of the certifications of either case in circuit court of the county where the complaint was made. The complaint then shall be answered by the court within twenty (20) days.*

**A.C.A. § 7-5-801 to 810, 7-4-102, 106, 115, 21-9-301**

## **TASK OVERVIEW:**

Any candidate or entity supporting a measure or issue can contest the certification of nomination or the certification of vote in any election in the circuit court of the county in which they are challenging. The election contest shall be tried by a circuit judge in open court without a jury. From a CBEC, election coordinator, and/or county clerk perspective, this rarely occurs but can happen. The complaint deadline is strictly enforced.

If a case is called, and even if any county election official was not part of the lawsuit, any election official may be called to testify about the case. If the county doesn't have a staff attorney, the prosecuting attorney or his or her deputy can be called upon for legal assistance.

Under A.C.A. § 21-9-301, CBECs are immune from tort liability.

## **BEST PRACTICE:**

***If as an election official you think you may have witnessed something that could possibly cause a challenge or some questionable activity, it would be a good practice to document what you have observed while it is fresh on your mind. This may help in determining a court challenge.***

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# CAST VOTE RECORDS

*No legal deadlines.*

*Currently no statutory code(s) dealing with cast vote records.*

Due to a surge in Arkansas Freedom of Information Act requests after the 2022 mid-term elections asking for vote records, the Cast Vote Records may be the best documentation to answer those requests.

If you have any questions pertaining to obtain your cast vote records, contact ES&S directly (877-377-8683).

## **FOR YOUR INFORMATION**

Based on past election requests, there is the assumption other type of election reports outside of the Cast Vote Records may be requested in the future. SBEC will keep you informed about any other type of information requests that may arise and how you may obtain the documentation.

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# SBEC PRIMARY REIMBURSEMENT ELECTION EXPENSES REPORTING

*Legal deadline – completed submitted reimbursement reports to SBEC are due after the political party preferential primary and nonpartisan election is over. Same for general primary runoff election, special primary election, and called statewide special elections.*

**A.C.A. § 7-7-201, 6-14-118**

## **TASK OVERVIEW:**

The SBEC funds political party primary elections from state legislative appropriated funds to the State Board for election expenses to be paid to the counties for preferential primary and nonpartisan elections conducted in March or May, primary runoff elections in April or June, and any called statewide special elections.

## **TASK RESPONSIBILITY:**

The CBEC is responsible for submitting the reimbursement request to the SBEC. They may designate the election coordinator or county clerk to complete, sign as the preparer, and submit the request.

## **DEADLINE:**

Reimbursement expense reports are due after the primary/ runoff election is over. There is no set time to turn in reimbursement reports but after six (6) months notices of not receiving the county request those notices will be sent to the respective county clerk, county judge, and county treasurer offices.

## **PREPARATION FOR REIMBURSEMENT:**

1. The SBEC will provide training on how to complete reimbursement request.
2. The reimbursement request form is on the SBEC website ([www.arkansas.gov/sbec](http://www.arkansas.gov/sbec)) and can be found under the FORMS & CHECKLISTS tab.
3. SBEC has promulgated rules under the Administrative Procedure Act and developed guidelines to establish eligibility for state-funded election expenses. The Rules are also available on the SBEC website.

4. The form is an Excel spreadsheet format with fillable fields and carryover calculation functions to help totaling your expenses making the process less formidable and easy to complete. Please use this form as it will do the math for you and carry over the totals to the summary of costs pages. Please do not use the form with hand written numbers.
5. The form is broken down by sections (attachments). There are specific instructions on how to complete each attachment.
6. Set aside enough time to complete the request. It usually isn't a one or two-day process. You will need to gather different information to complete each attachment. Read through all the instructions before you start to give you a better idea what you need to collect to aid in your process.
7. You can save your report to your computer and come back to it at different times before completing it.
8. SBEC staff can assist you during the process if you have questions.
9. Once you have it completed, have appropriate election officials sign it, attach all additional documents needed, sort them by attachment section, and send to SBEC.
10. Make at least 2 extra copies - one for the CBEC files and one for the county clerk.
11. The SBEC may withhold funding that fails to comply with the rules developed by the SBEC for the administration of primary elections or for failure to comply with applicable state election laws until all requirements are met to the satisfaction of the SBEC. Also, failure to submit the reimbursement in a timely manner will jeopardize the county's opportunity to receive funding.

#### **QUICK CHECKLIST OF INFORMATION NEEDED:**

#### **LIST OF TRAINED POLL WORKERS WHO WORKED ELECTION DAY, EARLY VOTE OR ABSENTEE**

\_\_\_\_\_ List of Poll Workers who trained (the training form should have at minimum: poll worker names, date of training, level of training they received and if they pass or fail, and trainer(s).

\_\_\_\_\_ Transfer names to Attachment "A" (if they did work the polls on Election Day), number of hours her or she worked, what level of training was received, identify the election judge at each site, did he or she deliver any election material, and if so, how many miles were driven.

\_\_\_\_\_ For those who worked Early Vote, repeat the above minus the training fee if they worked both Early Vote and Election Day. (Attachment "B")

#### **EXTRA PAID HELP**

\_\_\_\_\_ Record any extra help paid (Attachment "Cs")

#### **CBEC MEMBER MEETINGS**

\_\_\_\_\_ Record CBEC member meetings, minutes of the meeting required (Attachment "D")

## **ELECTION SUPPLIES USED**

\_\_\_\_\_ Pay attention to Attachments “E”, “F”, and “G” and decide what direction you want to go in for getting reimbursed for supplies.

### **INVOICES FOR ES&S PROGRAMMING AND SUPPORT COSTS**

\_\_\_\_\_ Gather ES&S invoices for programming costs and any on-site support costs (Attachment Hs). If you rent any hauling equipment, you will need invoices for that.

### **INVOICES FOR BALLOT LAYOUT AND PRINTING COSTS**

\_\_\_\_\_ Gather ES&S invoices for ballot layout and ballot printing (Attachment “I”)

### **INVOICES FOR MEDIA PUBLICATIONS AND PROOF OF PUBLICATIONS**

\_\_\_\_\_ Gather your media invoices for Notices of Election, Public Testing, and Ballot Draw (Attachment “J”). You need “proof of publication and invoices.” Tear sheets are not a proof of publication. Must be a notarized affidavit from the newspaper.

### **INVOICES FOR FACILITY RENTAL FEES FOR POLLING SITE LOCATIONS**

\_\_\_\_\_ If you pay a rental fee to use a facility to house a polling site, you need an invoice from that facility. (Attachment “K”)

## **SCHOOL EXPENSES SECTION**

\_\_\_\_\_ If you have a school election along with the primary election, please follow the instructions on the school portion of the expense worksheet regarding what is needed.

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# HOW OTHER ELECTIONS ARE PAID FOR

*Brief summary of who is responsible for paying for other elections outside of SBEC state funded primaries and nonpartisan general elections.*

**A.C.A. § 7-5-104, 6-14-118, 14-42-310**

## **NOVEMBER GENERAL ELECTIONS:**

**All Arkansas counties** are totally responsible for paying **ALL** election expenses (*without any state reimbursement assistance*) for any November general election for presidential, congressional, state, district, county, township, school, and/or municipal offices, including sequential runoff elections needed as required by law. Cities, incorporated towns, and/or any school districts having an election in the November General shall reimburse the CBECS/County for their portion of expenses of the election according to a reimbursement formula outlined in A.C.A. § 7-5-104.

## **SPECIAL ELECTIONS:**

All special elections and other elections to fill a vacancy in an office or for a measure or question referred to the voters by governmental entities as authorized by proclamation, ordinance, statute, resolution, order, or other authorized document of the appropriate authority.

### *Paid by County:*

**The county** is responsible for paying for **ALL** expenses for any special elections for congressional, state, district, county, and township offices including runoff elections as required by law. This also includes any special elections called by any county to refer a question or measure to the voters of the county.

### *Paid by City/Incorporated Town:*

**The city or incorporated town** is responsible for **ALL** expenses for special elections for municipal offices including any runoff elections as required by law, and for referring a question or measure to the voters of the city or incorporated town.

*Paid by School District:*

**The school district** calling for a special election is responsible for paying **ALL** expenses of the election.

# HOW TO HANDLE VACANCIES IN OFFICE BY APPOINTMENTS AND/OR ELECTIONS

## **APPOINTMENTS BY THE GOVERNOR – Arkansas State Constitution Amendment 29 §1, A.C.A. § 7-7-105**

Vacancies in the office of United States Senator, and in all elective state, district, circuit, county, and township offices except those of Lieutenant Governor, Member of the General Assembly, and Representative in the Congress of the United States shall be filled by appointment by the Governor.

No person appointed above shall be eligible for appointment or election to succeed himself or herself.

## **SPECIAL PRIMARY ELECTIONS FOR ABOVE OFFICES NOT COVERED BY THE GOVERNOR - A.C.A. § 7-7-105**

Nominees for special elections for Lieutenant Governor, Member of the General Assembly (House and Senate), and Representative in the Congress of the United States will come from the respective state party committees either to be elected by a special primary or by a convention of delegates held under party rules.

## **COUNTY OFFICES - A.C.A. § 14-14-1310**

Vacancies in all county elective offices shall be filled by the county quorum court within thirty (30) days of the declaration of the vacancy through the process of resolution and voted on by the quorum court as prescribed by law.

All vacancies in elective township offices, including justices of the peace and constables, shall be filled by the Governor.

A person appointed to fulfill a vacant or unexpired term of an elective county office shall not be eligible for appointment or election to succeed himself or herself.

### **MUNICIPAL RACES – FIRST CLASS CITIES - A.C.A. § 14-43-401, 411, 303**

First class city mayors with less than one (1) year of an unexpired term left may have the city council, with majority of all members, appoint a person to complete the term. If more than one (1) year of the term is left, a special election shall be ordered by the city council.

For first class cities with more than 20,000 population, a city council member with less than one (1) year of an unexpired term left, the majority of all council members may appoint a person to complete the term. If more than one (1) year of the term is left, a special election shall be ordered. For first class cities with less than 20,000 population, the majority of all council members may appoint a person to complete the remaining term.

For first class cities of 50,000 or more population, elected office holders of mayor, city clerk, city treasurer, and city council shall hold office for a term of four (4) years and until their successors are elected and qualified.

### **SECOND CLASS CITIES – A.C.A. § 14-44-106, 104**

If a vacancy occurs in the office of mayor, marshal, recorder, treasurer, or recorder-treasurer, at the first regular meeting after the vacancy occurs, the city council shall proceed to elect a person to fill the vacancy either by majority vote of the council members or by a call for a special election.

If a vacancy occurs in the office of city council, at the first regular meeting after the vacancy occurs, the city council shall proceed to elect a person to fill the unexpired term by majority vote of the council members.

Second class city mayor, recorder, treasurer, or record-treasurer shall hold office for a term of four (4) years and until his or her successor is elected and qualified. Second class city council members, depending on term limits either two (2) or four (4) years, shall hold office until his or her successor is elected and qualified.

### **INCORPORATED TOWNS – A.C.A. § 14-45-103, 101**

When a vacancy occurs in the office of mayor in an incorporated town, at the first regular meeting after the occurrence of the vacancy, the town council may:

- \*Elect by a majority vote of the town council members, a mayor to serve the unexpired term; or
- \*Call for a special election to complete the unexpired term.

When a vacancy occurs in either the office of a council member, or the office of recorder-treasurer in an incorporated town, the town council shall elect, by a majority vote of the town council, to serve the unexpired term. This shall be held at the first regular meeting after the vacancy occurs.

Elected incorporated town office holders shall hold office until their successors are elected and qualified.

#### **SCHOOL BOARDS – A.C.A. § 6-13-611, 615, 608**

If a vacancy occurs on the school district board of directors, the vacancy shall be filled by the appointment of an individual who is a qualified elector of the school district and who resides in the same zone, if applicable, by majority vote of the remaining school board members. The appointment of the new board member will remain only until the next annual general school election at which time the electors shall select, in the usual manner, an individual to serve the unexpired terms of the vacating director.

A member of a school district board of directors shall not serve more than one (1) full term as a holdover. If, at the expiration of the holdover term, a person is not elected to fill the position at the next annual school election or the person elected fails to subscribe to the director's oath of office with the time provided, the position is vacant and school district board of directors shall fill the vacancy as provided above.

A member of the board of directors who is qualified to serve may succeed himself or herself.

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## RESOURCE LINKS

### **Arkansas State Board of Election Commissioners (SBEC)**

501 Woodlane Street, Suite 122 South

Little Rock, AR 72201

501-682-1834 or 1-800-411-6996

[www.arkansas.gov/sbec](http://www.arkansas.gov/sbec) - all SBEC training materials and videos are available on our website

EMAIL: [info.sbec@arkansas.gov](mailto:info.sbec@arkansas.gov)

*Contact SBEC for questions regarding election procedures generally, election complaints, election monitors, reimbursement of expenses for state-funded elections, and procedural election training for county election commissioners, county election coordinators, train the trainers, poll workers, and poll watchers.*

### **Arkansas Secretary of State Elections Division (SOS)**

State Capitol

500 Woodlane St.

Little Rock, AR 72201

Elections Library 1-800-482-1127

Voter Services 1-800-247-3312

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)

[electionsmail@sos.arkansas.gov](mailto:electionsmail@sos.arkansas.gov)

*Contact SOS for questions regarding voter registration, candidate filing, petitions, tabulating election results, reporting and certification of election results, ES&S voting equipment, historical election results, voting equipment training and interpretation of election laws.*

### **Arkansas Attorney General's Office**

323 Center St., Suite 200

Little Rock, AR 72201

Office: (501) 682-2007

Fax: (501) 682-8084

[www.arkansasag.gov](http://www.arkansasag.gov)

**Arkansas Ethics Commission**

501 Woodlane, Suite 301 North  
Little Rock, AR 72201  
Office: (501) 324-9600 or (800) 422-7773  
[www.arkansasethics.com](http://www.arkansasethics.com)

**Republican Party of Arkansas**

1201 West Sixth St.  
Little Rock, AR 72201  
Office: (501) 372-7301  
[www.arkansasgop.org](http://www.arkansasgop.org)

**Democratic Party of Arkansas**

1300 West Capitol Ave.  
Little Rock, AR 72201  
Office: (501) 374-2361  
[www.arkdems.org](http://www.arkdems.org)

**Libertarian Party of Arkansas**

P.O. Box 46730  
Little Rock, AR 72214  
Office: (501) 396-9804  
[www.lpar.org](http://www.lpar.org)

**Election Systems & Software**

1217 Digital Dr., Suite 160  
Richardson, TX 75081  
1-877-377-8683 (877-ESS-VOTE)  
Voter Registration Support – 1-800-353-2832  
Technical Support – 1-877-377-8683 (7 am-7 pm M-F)  
[technicalsupport@essvote.com](mailto:technicalsupport@essvote.com)  
[www.essvote.com](http://www.essvote.com)



**National Association of State Election Directors**

1200 G Street NW, Suite 800  
Washington, DC 20005  
240-801-6029

**U.S. Election Assistance Commission**

633 3<sup>rd</sup> Street NW, Suite 200  
Washington, DC 20001  
866-747-1471 toll-free  
[www.eac.gov](http://www.eac.gov)

**U.S. Department of Homeland Security  
Cybersecurity and Infrastructure Security Agency**

1-844-Say-CISA (1-844-729-2472)  
[Regional Office: CISARegion6@cisa.dhs.gov](mailto:CISARegion6@cisa.dhs.gov)  
[Arkansas Office: helen.combs@cisa.dhs.gov](mailto:helen.combs@cisa.dhs.gov)  
[479-866-2691](tel:479-866-2691)

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## APPENDIX

**COMMISSION CHECKLIST FOR  
NOVEMBER GENERAL ELECTIONS AND  
ANNUAL SCHOOL ELECTION\***

(\*if the School Election is held in conjunction with the General Election)  
(Effective May 18, 2004; Revised August 2023)

This checklist is provided by the State Board of Election Commissioners as a tool for capturing and maintaining relevant data pertaining to the General Election.

1. \_\_\_\_ Conducted a public meeting to determine, by lot, the order in which the names of candidates would appear on the ballots
  - a) \_\_\_\_ by the deadline of **not later than seventy-two (72) days before the election**
  - b) \_\_\_\_ published notice of the meeting **at least three (3) days before the meeting** in some newspaper of general circulation in the county [§7-5-207(c)]
  - c) \_\_\_\_ ensure a list of all candidates and issues from school districts domiciled outside the county have been submitted by the county clerk of the county in which the district is domiciled\*
2. \_\_\_\_ **If applicable**, altered the boundaries of existing election precincts and established new ones by order
  - a) \_\_\_\_ **at least sixty (60) days before the election**
  - b) \_\_\_\_ recorded the board's orders with the county clerk [§7-5-101] in order for the county clerk to submit written, printed, and digital copies of the map and boundaries to the Secretary of State and Arkansas Geographical Information Systems Office [§7-5-101(c)(1)]
3. \_\_\_\_ Ensured that all polling sites are the same as those established by the preceding general election or, **if applicable**, designated any new polling site(s) **at least sixty (60) days before the election** in a public meeting by unanimous vote of the members present [§7-5-101(d)]
  - a) \_\_\_\_ posted notice of any changes in polling sites at all previous polling sites used in the last election [§7-5-101(d)(3)]
  - b) \_\_\_\_ provided polls accessible to voters with disabilities [§7-5-311(a)]
  - c) \_\_\_\_ (does not apply to changes in Vote Centers) Notify the County Clerk in a timely manner to allow for notice to be mailed to affected voters
4. \_\_\_\_ **If applicable**, conducted early voting at additional polling sites outside the county clerk's office [§7-5-418(b)(1)(A)]
  - a) \_\_\_\_ determined, in a public meeting by unanimous vote, the location(s) of additional off-site early voting polling sites [§7-5-418(b)(1)(B)]
  - b) \_\_\_\_ notified the county clerk of the board's decision **within ten (10) days of its decision** [§7-5-418(b)(3)(A)]
5. \_\_\_\_ Provided regular absentee ballots [§7-5-211(c)] and, where applicable, "special absentee runoff ballots" [§7-5-406(c)]
  - a) \_\_\_\_ delivered the ballots and an absentee ballot delivery count report to the county clerk **at least forty-seven (47) days before the election** [§7-5-407(a)(1) as amended by Act 329 of 2023]
6. \_\_\_\_ Prepared paper ballots and voting machine ballot styles as provided by law. [§§ 7-3-104, 7-5-207, 7-5-208, 7-5-406, 7-5-601, 7-5-610, 7-8-302, 7-9-117, 7-10-102, 14-14-917]
  - a) \_\_\_\_ certified the printed ballots and voting machine ballot styles before delivery to the county clerk prior to the start of absentee voting [§7-5-512(a)]

7. \_\_\_\_ Prepared voting machines upon the proper certification of candidates and questions [§7-5-515(a)]
  - a) \_\_\_\_ published notice of the time and place of the voting machine preparation [§7-5-516]
8. \_\_\_\_ Tested and secured voting systems:
  - a) \_\_\_\_ conducted logic and accuracy (L&A) testing of voting machines and electronic vote tabulating devices **at least seven (7) days before early voting begins for the election** [§7-5-611(a)(2)]
  - b) \_\_\_\_ conducted public testing of voting machines and electronic vote tabulating devices in addition to L&A testing [§§7-5-515(c)(2)(A); 7-5-611(b)]
    1. \_\_\_\_ gave public notice of the time and place of the public test by publication in a daily or weekly newspaper in the town, city, or county using the voting machines or devices **at least forty-eight (48) hours before testing** [§ 7-5- 611(b)(1)]
  - c) \_\_\_\_ ensured that paper ballot systems that include electronic vote tabulating device(s) were programmed to reject overvoted ballots [§7-5-604(a)(5)(B), (6)(B)]
  - d) \_\_\_\_ certified the accuracy of the voting system by filing the test results with the county clerk and sending a copy of the electronic results to the Secretary of State [§§7-5-515(e); 7-5-611(c)]
  - e) \_\_\_\_ after preparation, testing, and examination, secured the voting machines against further voting [§7-5-517(a)]
  - f) \_\_\_\_ placed voting machine activation devices in a sealed package labeled with the serial number of the voting machine, the precinct location of the voting machine and the number registered on the protective counter [§7-5-517(b)]
  - g) \_\_\_\_ certified, by machine serial number, the number registered on the protective counter of each voting machine and that all contest counters registered ZERO in the presence of the candidates or their representative, if in attendance [§7-5- 517(c)]
  - h) \_\_\_\_ secured voting machine activation devices until released for delivery to poll workers [§7-5-517(d)]
9. \_\_\_\_ Designated suitable times and places where voting machines will be exhibited for purpose of instruction
  - a) \_\_\_\_ published notice of voting machine demonstration in newspaper at least **forty-eight (48) hours** before first date of demonstration [§7-5-509]
10. \_\_\_\_ Appoint election officials **at least twenty (20) days before the election** [§7-4-107(b)(1)]
  - a) \_\_\_\_ selected and appointed a sufficient number of poll workers for each polling site (minimum of two (2) election clerks, one (1) election judge, and one (1) election sheriff) [§§7-4-107(b); 7-7-302]
  - b) \_\_\_\_ selected and appointed minority party poll worker(s) for each poll as provided by law [§7-4-107(b)(2)]
  - c) \_\_\_\_ **if applicable**, appointed poll workers to adequately staff additional off-site early voting polling sites under the election commission's supervision [§7-5-418(b)(2)]
  - d) \_\_\_\_ appointed absentee election clerks to process, count, and canvass absentee ballots [§7-5-414(a)]
  - e) \_\_\_\_ confirmed that all poll workers have attended poll worker training [§7-4-107(b)(2)]
11. \_\_\_\_ Published in a newspaper of general circulation in the county public notice of: the date of the election; the places and times for early voting; hours of voting on election day; polling sites, candidates and offices to be elected; the time and location of opening, processing, canvassing, and counting ballots; the time and location of opening, processing, canvassing, and counting early and absentee ballots; the location and date available of the

list of appointed election officials and directions for filing a written objection to the service of an elected official.

a) \_\_\_\_\_ by the deadline of **at least eight (8) days before early voting**

[§§7-5-202(a); 7-5-416]

b) \_\_\_\_\_ published a second publication **at least five (5) days before the election**

[§§7-5-202(b); 7-5-416]

12. \_\_\_\_\_ Delivered at least one (1) voting machine equipped for use by individuals with disabilities to the county clerk's designated early voting location and all off-site early voting locations **prior to the start of early voting** [§§7-5-413(a)(1); 7-5-418(a)(1)(A)]
13. \_\_\_\_\_ Posted in a public place in the county clerk's office, the list of appointed election officials, including the names of election commissioners **at least eight (8) days before election day**. County Clerks and County Commissions conducting early voting must post a list of appointed election officials who will conduct early voting **at least eight (8) days before early voting**. [§7-5-202(b)(2)].
14. \_\_\_\_\_ Posted a list at the door of the courthouse of all nominations, proposed amendments to the constitution, and all questions to be submitted to the electors at the election **at least ten (10) days before the election** [§7-5-206]
15. \_\_\_\_\_ If using paper ballots to be counted by hand or at a central counting location, developed a voter education program to inform voters about the consequences of overvoting and how to correct the ballot containing an overvote [§§7-5-604(a)(5)(C), (6)(C)]
16. \_\_\_\_\_ **At least one (1) day before the election**, delivered ballots and supplies to persons designated by the commission to deliver to poll workers [§7-5-211(a)]
  - a) \_\_\_\_\_ provided sufficient quantities of ballots, voting booths, and voting machines for each polling site [§§7-5-310; 7-5-512(c); 7-5-602]
  - b) \_\_\_\_\_ provided all required supplies, forms, and postings [§§7-5-211(a)(2); 7-5-512(b),(d); 7-9-114(b)], including a poll workers' certificate to use on election day to record the exact time and number of votes shown on the public counters and to attest that voting machines were made inaccessible to voting at the official time for closing the polls and upon terminating of the voting by removing the activation devices [§7-5-526]
17. \_\_\_\_\_ Began opening the outer envelope, processing, and canvassing of absentee ballot paperwork no earlier than the Tuesday before the election. Began counting absentee ballots **no earlier than 8:30 a.m.** on election day [§7-5-416]
18. \_\_\_\_\_ Received all election materials and returns from the poll workers **immediately after the polls closed** including one (1) copy of the certificate of election results and, if any, one (1) copy of tally sheets, and any reports of challenges to votes, if any [§7-5-317(b)]
  - a) \_\_\_\_\_ provided poll workers with a receipt for delivery of the sealed package containing the voting machine activation devices and certified return records [§7-5-527(e)]
  - b) \_\_\_\_\_ ensure that election returns relating to the Annual School Election of a school district that is not domiciled in your county are filed with the county clerk of the county in which the district is domiciled
19. \_\_\_\_\_ Reported the initial count of early and absentee votes to the Secretary of State as soon as practical after the polls closed [§7-5-416(a)(5)(B)]

20. \_\_\_\_ Declared preliminary and unofficial results of the election (including a statement of the number of outstanding absentee ballots of overseas voters) **immediately after the count of the votes was completed** on election day, but no more than 24 hours after election day, and reported the results of all elections in the county to the county clerk for immediate transmission to the Secretary of State via the internet website provided by the Secretary of State [§7-5-701(a)(3) as amended by Act 350 of 2023]
21. \_\_\_\_ Before certification of the results of the election
- a) \_\_\_\_ reviewed and determined the validity of all provisional ballots [§§ 7-5-308(a), (e); 7-5-417(c)]
  - b) \_\_\_\_ mailed first class notice to all provisional voters telling them whether their vote was counted, and, if not counted, the reason not counted [§7-5-308(d)(2), Rule 906 on Poll Watchers, Vote Challenges, and Provisional Voting]
  - c) \_\_\_\_ counted all overseas absentee ballots that were properly executed and received by the county clerk by **5:00 p.m. ten (10) calendar days after the election REGARDLESS** of whether they would change the outcome of the election [§7-5-411(a)(1)(B)]
  - d) \_\_\_\_ compiled electronic countywide totals from the activation pack or device from each voting machine used to collect votes and verified that they matched manually compiled countywide totals from the polling locations' certified return records [§7-5-529]
  - e) \_\_\_\_ produced an audit log for each voting machine used in the election [§7-5-530(a)]
22. \_\_\_\_ Certified the official election results via the internet to the Secretary of State and by mail to the county clerk by the deadline of **no earlier than forty-eight (48) hours and no later than the fifteenth day after the election** [§§7-5-701(a)(1); 7-5-707(a)]
23. \_\_\_\_ Mailed to the Secretary of State certified copies of the abstract of the returns of the election for members of Congress, all executive, legislative and officers and of all votes cast on any measure
- a) \_\_\_\_ by the deadline of **no earlier than forty-eight (48) hours and no later than the fifteenth day after the election** [§§7-5-701(c)(1); 7-9-119(b)]
  - b) \_\_\_\_ filed a certificate detailing the result of the election with the county clerk [§7-5-701(b)]
24. \_\_\_\_ After certification
- a) \_\_\_\_ cleared the voting machines for future elections
  - b) \_\_\_\_ secured, audit logs and voter-verified paper audit trails to **remain secure for two (2) years** [§7-5-531]
  - c) \_\_\_\_ secured all voting machines (voting machines to **remain secured for at least three (3) days** following election unless otherwise ordered) [§7-5-531]
  - d) \_\_\_\_ cleared the voting machines for future elections [§7-5-531]
  - e) \_\_\_\_ preserved all ballots, certificates, and election materials for at least 2 years. [§§7-5-531; 7-5-702]
25. \_\_\_\_ Delivered a certificate of election **within nineteen (19) days after the election** to the person having the highest number of legal votes for any county office [§7-5-701(a)(4)]
26. \_\_\_\_ **RECOUNT (if applicable)**
- a) \_\_\_\_ Conducted a recount upon a motion of the county board of election commissioners [§7-5-319(b)]

- b) \_\_\_\_ Received a request for recount from a candidate by the deadline of:
1. \_\_\_\_ **no later than two (2) days after the county board declared preliminary and unofficial results**, if the number of outstanding overseas absentee ballots combined with provisional ballots were insufficient to change the results of the election *[§7-5-319(a)(2) as amended by Act 321 of 2023]*
  2. \_\_\_\_ **before the county board certified the results of the election, or 12:00 noon on the seventh day after the election**, if the number of outstanding overseas absentee ballots was sufficient to potentially change the results of the election *[§7-5-319(a)(3) as amended by Act 321 of 2023]*
- c) \_\_\_\_ notified all candidates whose election could be affected by the outcome of the recount **within forty-eight (48) hours after receipt of the petition for recount** *[§7-5-319(i)]*
- d) \_\_\_\_ provided the candidate requesting the recount a copy of the test results on the voting machines and the electronic vote tabulating device(s) performed under A.C.A. §§ 7-5-515 and 7-5-611 *[§7-5-319(b)]*
- e) \_\_\_\_ Opened the package containing the paper ballots and recounted the paper ballots
1. \_\_\_\_ in the same manner as the initial count unless the county board determines that the tabulating device may be malfunctioning *[§7-5-319(d)]*
  2. \_\_\_\_ if direct-recording electronic voting machines were used, recounted the ballots using the VVPAT as the official ballot *[§7-5-319(c)]*
    - A. \_\_\_\_ manually added the total votes for each candidate involved in the recount from the voter-verified paper audit trail, OR
    - B. \_\_\_\_ counted by hand the votes for each candidate involved in the recount from the voter-verified paper audit trail, OR
    - C. \_\_\_\_ used the paper record produced by the machine for manual audit due to a damaged voter-verified paper audit trail, OR
    - D. \_\_\_\_ used the paper record produced by the machine for manual audit, as the machine is exempt from the voter-verified paper audit trail requirement
  3. \_\_\_\_ after the recount, secured the paper ballots, voting machines, electronic vote tabulating devices, audit logs, VVPATs, election materials and returns for retention and storage as provided by law *[§§7-5-319(f); 7-5-531; 7-5-532(e); 7-5-702]*
  4. \_\_\_\_ certified the results of the last recount *[§7-5-319(b)]*