

COMMISSION CHECKLIST FOR STATEWIDE SPECIAL ELECTIONS

(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 a statewide special election.

1. ____ Published the proclamation calling for the statewide special election as soon as practicable in a newspaper of general circulation in the county [§7-11-202(b)]
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 order 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 for the preceding general election or, **if applicable**, designated any new polling site(s) **at least thirty (30) days before the election** in a public meeting by unanimous vote [§7-5-101]
 - 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)]
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 absentee ballots
 - a) ____ delivered the ballots and a ballot count delivery report to the county clerk **at least forty-seven (47) days before the election** [§§7-5-211(c); 7-5-407(a) as amended by Act 329 of 2023]
6. ____ Prepared paper ballots and voting machine ballot styles as provided by law [§§ 7-5-208, 7-5-601, and 7-11-205]
 - 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 the 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 as soon as the election media was prepared and no later than **seven (7) days prior to the start of early voting** [§§7-5-515(c)(1); 7-5-611(a)(2)]
 - b) ____ conducted public testing of voting machines and electronic vote tabulating devices in addition to L&A testing [§ 7-5-611(b)]

1. _____ gave public notice of the time and place of the 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**
[§§ 7-5-515(c)(2); 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 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 (a minimum of two (2) election clerks, one (1) election judge, and one (1) election sheriff) [§7-4-107(b)(2)]
 - 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 the election** [§§7-5-202(a); 7-5-416; 7-11-303]
 - b) _____ published a second publication **at least five (5) days before the election**
[§§7-5-202(b); 7-5-416; 7-11-303]
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 polling locations **prior to the start of early voting** [§§7-5-413(a)(1); 7-5-418(a)(2)]

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 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 measures and questions to be submitted to the electors at the election **at least ten (10) days before the election** [§§7-5-206; 7-11-303]
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 paper work 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)]
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, but no more than 24 hours after** election day and reported the results 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]

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- 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 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 Election returns.
- a) _____ by the deadline of **no earlier than forty-eight (48) hours and no later than the fifteenth day after the election** *[§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) _____ secured audit logs and voter-verified paper audit trails to **remain secure for two (2) years** *[§7-5-531(a)]*
 - b) _____ secured all voting machines (voting machines to **remain secured for at least three (3) days** following election unless otherwise ordered *[§7-5-531(b)(1)]*
 - c) _____ cleared the voting machines for future elections *[§7-5-531(b)(2)]*
 - d) _____ preserved all ballots, certificates, and election materials *[§§ 7-5-531 and 7-5-702]*
25. _____ **RECOUNT (if applicable)**
- a) _____ Conducted a recount upon a motion of the county board of election commissioners *[§7-5-319(b)]*
 - b) _____ 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)]*
 - 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)]*