

**COMMISSION CHECKLIST
FOR
COMBINED MAY PREFERENTIAL PRIMARY
AND
NONPARTISAN JUDICIAL GENERAL ELECTIONS**

(Effective May 18, 2004; Revised September 21, 2011)

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

1. ____ Held 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) ____ gave at least ten (10) days written notice to the chairs of the county committees, if the chairs are not members of the board.
 - c) ____ published notice of the meeting **at least three (3) days before the meeting** in some newspaper of general circulation in the county [*§7-7-305(b)*]

2. ____ Altered the boundaries of existing election precincts and established new ones by order
 - a) ____ **at least thirty-one (31) days before the election**
 - b) ____ recorded the board's order with the county clerk [*§7-5-101*]
 - c) ____ county clerk submits five (5) copies of the changes to the Secretary of State (map & written description)

3. ____ Designated a polling site for each election precinct **at least thirty-one (31) days before the election** in a public meeting by unanimous vote of the members present [*§7-5-101*]
 - a) ____ provided polls accessible to voters with disabilities [*§7-5-311(a)*]
 - b) ____ posted notice of any changes in polling sites at all previous polling sites used in the last election [*§7-5-101(d)(3)*]
 - c) ____ established common polling sites for the joint conduct of the election [*§7-7-202(d)*]

4. ____ Held 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 and "special runoff ballots" for qualified electors temporarily residing outside the U. S.
 - a) ____ delivered the ballots to the county clerk **at least forty-seven (47) days before the election** [*§§ 7-5-211(c); 7-5-406(c); 7-5-407(a)(1)*]

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6. ____ Prepared paper ballots and voting machine ballot styles as provided by law under A.C.A. §§ 7-3-104, 7-5-207, 7-5-208, 7-5-406, 7-5-601, 7-5-610, 7-7-304, 7-7-305, 7-7-306, 7-8-302, and 7-10-102
- a) ____ certified the printed ballots and voting machine ballot styles before delivery to the county clerk for 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. ____ Appointed 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 [§§7-4-107(b)(1); 7-7-302]
- b) ____ selected and appointed at least one (1) poll worker per poll that attended approved training [§7-4-107(b)(2)]
- c) ____ selected and appointed minority party poll workers for each poll as provided by law [§7-4-107(b)(2)]
- d) ____ appointed poll workers to adequately staff additional off-site early voting polling sites under the election commission's supervision [§7-5-418(b)(2)]
- e) ____ appointed absentee election clerks to process, count, and canvass absentee ballots [§7-5-414(a)]
9. ____ 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, and the time and location of opening, processing, canvassing, and counting ballots
- a) ____ by the deadline of **at least twenty (20) days before the election** [§7-5-202(a)]
- b) ____ published a second publication **at least five (5) days before the election** [§7-5-202(b)]
10. ____ 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 by the deadline of **at least sixteen (16) days before the election** [§§7-5-413(a)(1); 7-5-418(a)(1)(A)]
11. ____ 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 fifteen (15) days before the election** [§7-5-202(b)(2)]
12. ____ Tested and secured voting systems:
- a) ____ Held public testing of voting machines and electronic vote tabulating devices **at least seven (7) days before early voting begins for the election** [§§7-5-515(c)(1); 7-5-611(a)(2)]
- b) ____ 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

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- devices **at least forty-eight (48) hours before testing** [§§ 7-5-515(c)(2); 7-5-611(a)(3)]
- 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 and filed the test results with the county clerk [§§7-5-515(e); 7-5-611(a)(8)]
 - 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)]
13. ___ Developed a voter education program to inform voters about the consequences of overvoting if using paper ballots to be counted by hand or at a central counting location [§7-5-604(a)(5)(C), (6)(C)]
14. ___ **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 [§§7-5-309(a); 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)], 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]
15. ___ Received all election materials and returns from the poll workers **immediately after the polls closed** [§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) ___ delivered ballot stubs to the county treasurer
16. ___ 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 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)(2)]

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- 17. Before certification of the results of the election,**
- a) ___ reviewed and determined the validity of all provisional ballots [§§ 7-5-308(d)(1); 7-5-417(c); 7-7-308(a)]
 - 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(c)(1), 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)]
- 18. ___** 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 tenth day after the election** [§§ 7-5-707(a); 7-7-203(e)(1); 7-7-309]
- 19. ___** Mailed to the Secretary of State certified copies of the abstract of the returns of the election
- a) ___ by the deadline of **no earlier than forty-eight (48) hours and no later than the tenth day after the election** [§§7-7-203(e)(1); 7-7-309]
 - b) ___ filed a certificate detailing the result of the election with the county clerk [§7-5-701(b)]
- 20. After certification:**
- a) ___ cleared the voting machines for future elections [§7-5-531(b)(2)]
 - b) ___ secured all voting machines, audit logs, and voter-verified paper audit trails [§7-5-531]
 - c) ___ preserved all ballots, certificates, and election materials according to Ark. Code Ann. §§ 7-5-531 and 7-5-702

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21. RECOUNT (if applicable):

- a) _____ Conducted a recount upon a motion of the county board of election commissioners [*§7-5-319(b)*]
- b) _____ Received a petition 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 was insufficient to change the results of the election [*§7-5-319(a)(2)*]
 2. _____ **before the county board certified the results of 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)*]
 3. _____ 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)*]
 4. _____ 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)*]
- c) _____ Opened the package containing the paper ballots and recounted the paper ballots
1. _____ in the same manner as the initial count [*§7-5-319(d)*]
 2. _____ in a manner different than the initial count [*§7-5-319(d)*]
 3. _____ if direct recording electronic voting machines were used, recounted the ballots using the voter verified paper audit trail 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
 4. _____ 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*]
 5. _____ certified the results of the last recount [*§7-5-319(b)*]