STATE OF ARKANSAS
EXECUTIVE DEPARTMENT

PROCLAMATION

EO 20 - 40

TO ALL TO WHOM THESE PRESENTS COME – GREETINGS:

EXECUTIVE ORDER TO AMEND EXECUTIVE ORDER 20-37 FOR THE PURPOSE OF HOLDING SPECIAL ELECTIONS IN THE STATE WHILE FOLLOWING SOCIAL DISTANCING GUIDELINES ASSOCIATED WITH COVID-19

WHEREAS: An outbreak of coronavirus disease 2019 (COVID-19) has spread throughout the world resulting in a global pandemic; and

WHEREAS: On March 11, 2020, by Executive Order 20-03, an emergency was initially declared in the state as a result of COVID-19, and that emergency has since been declared anew; and

WHEREAS: On March 20, 2020, by Executive Order 20-08, County Officials and County Boards of Election Commissioners were given the authority to consolidate polling sites and allow absentee voting to all qualified electors who timely requested an absentee ballot for the March 31, 2020, General Primary Runoff Elections; and

WHEREAS: On April 24, 2020, by Executive Order 20-23, County Officials and County Boards of Election Commissioners were given the authority to consolidate polling sites and allow absentee voting to all qualified electors who timely requested an absentee ballot for the May 12, 2020, Special Elections; and

WHEREAS: On May 7, 2020, by Executive Order 20-26, County Officials and County Boards of Election Commissioners were given the authority to consolidate polling sites and allow absentee voting to all qualified electors who timely requested an absentee ballot for the June 9, 2020, Special Elections; and

WHEREAS: On June 18, 2020, by Executive Order 20-37, I terminated the emergency declared pursuant to Executive Order 20-03 and declared the emergency anew, setting forth the Executive Orders that would be incorporated by reference as they previously amended Executive Order 20-03; and

WHEREAS: In response to COVID-19, significant targeted measures have been taken by Executive Order and Directives by the Secretary of Health to limit person-to-person contact, restrict gatherings, limit travel into the state, and suspend businesses that require significant person-to-person interaction; and

WHEREAS In light of the current public health emergency, the State of Arkansas seeks to take reasonable steps to mitigate the spread of COVID-19, while protecting the constitutional right to vote of qualified electors;

NOW, THEREFORE, I, Asa Hutchinson, Governor of the State of Arkansas, acting under the authority vested in me by Ark. Code Ann. §§ 12-75-101, *et seq.*, do hereby amend Executive Order 20-37 declaring an emergency in the State of Arkansas, and order the suspension of the following provisions of Arkansas Code for special elections held on July 7, 2020:

1. Suspension of Arkansas Code Annotated § 7-5-101(d)(3)(A) and 7-5-101(e)(2)(C) regarding the moving and consolidation of polling

sites, to the extent necessary, in order to allow counties to consolidate polls to no less than one (1) polling site up to three (3) days before the election so long as adequate notice of the change has been posted at polling sites that would have otherwise been used absent the emergency;

2. Provisions under Arkansas Code Annotated § 7-5-402 that require qualified electors be unavoidably absent or unable to attend an election due to illness or physical disability, so that all eligible qualified electors currently entitled to vote in the July 7, 2020 special election may request the appropriate absentee ballots from their county of residence.

3. Provisions under Arkansas Code Annotated § 7-5-404(a)(3)(A)(ii) to allow county officials to act on an application for an absentee ballot that is received within seven (7) days before the election date and subsequently mail an absentee ballot to the qualified elector who requested the ballot if the voter is otherwise entitled to vote in the election.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 26th day of June, in the year of our Lord 2020.

Asa Hutchinson, Governor