

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 1015

"AN ACT TO AMEND ARKANSAS CODE § 7-6-102, TO CLARIFY THE FILING
REQUIREMENTS AND DEADLINES FOR THOSE INDIVIDUALS WISHING TO FILE FOR
PUBLIC OFFICE."

Amendment No. 3 to House Bill No. 1015.

Amend House Bill No. 1015 as engrossed, H3/20/03:

Page 1, line 9 delete "TO AMEND ARKANSAS CODE § 7-6-102,"

AND

Page 1, line 15 delete "TO AMEND ARKANSAS CODE § 7-6-102,"

AND

Page 1, delete line 22 and substitute the following:

"SECTION 1. Arkansas Code § 7-1-101, concerning definitions used in Title 7 of the Arkansas Code, is amended to add an additional subdivision to read as follows:

(25) "Party certificate" means a written statement or receipt signed by the secretary or chairman of the county committee or of the state committee, as the case may be, of the political party evidencing the name and title proposed to be used by the candidate on the ballot, the position the candidate seeks, payment of the fees, and filing of the party pledge, if any, required by the political party.

SECTION 2. Arkansas Code § 7-6-102(e), regarding political practices"

AND

Page 1, delete line 31 through 36 and substitute the following:

"(e) [As amended by Acts 1989, No. 912, § 3.] (1) ~~The failure of any candidate~~ The name of a candidate who fails to sign and file the pledge shall ~~be justifiable grounds to keep the candidate's name from appearing~~ not appear on the ballot.

(2)(A) However, within five (5) days following the first Tuesday in April before the preferential primary election or within five (5)



days from which the pledge is required to be filed, the Secretary of State or the county clerk shall notify, by certified mail which requires a return receipt signed by the candidate, those candidates who have failed to file a signed political practice pledge. Such notice shall include a copy of the written pledge required by this section.

(B) Failure of the state or district candidate to file with the Secretary of State or of the county, municipal, or township candidate to file with the county clerk within twenty (20) days of receipt or refusal of this notice shall prevent the candidate's name from appearing on the ballot.

SECTION 3. Arkansas Code § 7-7-103(a), concerning filing as an independent candidate, is amended to read as follows:

(a) Any person desiring to have his name placed upon the ballot as an independent candidate without political party affiliation for any state, county, township, or district office in any general election in this state shall file as an independent candidate a notice of candidacy stating the name and title the candidate proposes to appear on the ballot and identifying the elective office sought and a nominating petition in the manner provided in this section no later than the date fixed by law as the deadline for filing political practices pledges and party pledges if any are required by the rules of the party to qualify as a candidate of a political party in a primary election.

SECTION 4. Arkansas Code § 7-7-203(c), concerning election dates, is amended to read as follows:

(c)(1) Party pledges, if any, ~~and political practice pledges for primary elections~~ shall be filed and any filing fees of a political party, if any, shall be paid during regular office hours in the period beginning at 12:00 noon on the third Tuesday in March and ending at 12:00 noon on the fourteenth day thereafter before the preferential primary election.

(2) A party certificate and the political practice pledge for primary elections shall be filed with the county clerk or the Secretary of State, as the case may be, during regular office hours in the period beginning at 12:00 noon on the third Tuesday in March and ending at 12:00 noon on the fourteenth day thereafter before the preferential primary election.

(3) The name of a candidate who fails to file a party certificate by the filing deadline with the Secretary of State or county clerk, as the case may be, shall not appear on the ballot.

~~(2)(4)~~ (4) Party pledges, if any, shall be filed, filing fees, if any, shall be paid and party certificates and political practice pledges shall be filed and filing fees of a political party for special primary elections shall be paid on or before the deadline established by proclamation of the Governor.

~~(3)(5)~~ (5) Pledges and filing fees of the political party for a new political party shall be filed and paid as provided in subsection (f) of this section.

SECTION 5. Arkansas Code § 7-7-301(c), concerning party pledges and party filing fees, is amended to read as follows:

(c) The county clerk shall not accept for filing the political

~~practices pledge of any candidate for nomination by a political party to any county, township, or partisan municipal office, nor shall the Secretary of State accept for filing the political practices pledge of any candidate for nomination by a political party to any state or district office, unless the candidate first furnishes written evidence of payment of all party filing fees required by the political party for candidates for the office of which the person is seeking nomination and written evidence of the filing of all party pledges required by the political party, if any. "Written evidence" shall mean a written statement or receipt signed by the secretary or chairman of the county committee or of the state committee, as the case may be, of the political party evidencing payment of the fees and filing of the party pledge, if any, required by the political party. files a party certificate.~~

SECTION 6. Arkansas Code § 7-7-305(c)(2), concerning ballots for primary elections, is amended to read as follows:

(c)(2) The names and titles as proposed to be used by each candidate on the political practice pledge or, if the political practice pledge is not filed by the filing deadline, then the names and titles that appear on the party certificate, shall be reviewed no later than one (1) business day after the filing deadline by the State Board of Election Commissioners for state and district offices and by the county board of election commissioners for county, township, school, and municipal offices.”

The Amendment was read _____
By: Representative King
MTB/JGR - 032820030839
JGR633

Chief Clerk