

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representatives Hutchinson, Fairchild**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO PRESCRIBE THE METHOD OF FINANCING POLITICAL  
9 PARTY PRIMARY ELECTIONS; AND FOR OTHER PURPOSES."

10

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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13 SECTION 1. This act shall be known as the "Primary Election Financing  
14 Act of 1991".

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16 SECTION 2. For the purposes of this act, the preferential primary  
17 election and the general primary election shall be considered as separate  
18 primary elections.

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20 SECTION 3. All expenses for biennial political party primary elections  
21 to select party nominees as candidates at any biennial general election for  
22 any United States, State, district, county, township or municipal office shall  
23 be paid by the political party holding such primary election, except as  
24 otherwise provided for in this act.

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26 SECTION 4. The State Board of Election Commissioners shall pay to each  
27 county committee of the political parties from funds appropriated by the  
28 General Assembly, for the support of party primary elections, a uniform amount  
29 for each person casting a vote in the primary elections. The amount to be  
30 paid shall be set by the State Board of Election Commissioners at a meeting to  
31 be held not later than the first day of February in the year in which the  
32 primaries are to be held to select nominees for state and local offices, and  
33 such amount shall not be less than \$.25 (twenty-five cents) per person. The  
34 funds shall be paid by state warrant not later than thirty (30) days after

1 receipt by the State Board of Election Commissioners of the certified returns  
2 of each primary election from the respective county committees and shall be  
3 determined by the highest total vote for any office on the ballot in that  
4 county for the political party.

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6 SECTION 5. The state election funds paid to the county committees of  
7 the political parties shall be used only for payment of direct expenses  
8 incurred in holding a primary election, including, but not limited to such  
9 items as the compensation paid to election judges and clerks, the printing of  
10 the ballots, preparation and care of voting machines, if applicable, costs of  
11 election notices and other election related expenses.

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13 SECTION 6. The State Board of Election Commissioners shall have the  
14 authority to promulgate necessary rules and regulations for the orderly and  
15 efficient implementation of this act, and shall specifically have the power to  
16 refuse to pay any state funds to any county committee it has reasonable cause  
17 to believe is not in substantial compliance with federal and state election  
18 laws, or rules of the state party.

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20 SECTION 7. The records of each county committee receiving funds under  
21 the provisions of this act shall be subject to audit and review by appropriate  
22 state agencies and the State Board of Election Commissioners to the extent of  
23 all accounts and documentation evidencing the receipt and expenditure of the  
24 funds to ensure that they are properly applied only to those purposes  
25 permitted by this act. The State Board of Election Commissioners may require  
26 the appropriate officers of the various county committees to give a  
27 satisfactory bond in favor of the state to ensure the faithful performance of  
28 the duties attached to the funds.

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30 SECTION 8. All provisions of this act of a general and permanent nature  
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 9. If any provision of this act or the application thereof to  
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 act are declared to be severable.

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5       SECTION 10. All laws and parts of laws in conflict with this act are  
6 hereby repealed.

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