

1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

4 **By: Representatives Mahony, Flanagin, Dietz and Pryor**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-4-101 PERTAINING TO THE
9 COMPOSITION AND DUTIES OF THE STATE BOARD OF ELECTION
10 COMMISSIONERS; AND FOR OTHER PURPOSES."

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Subtitle

14 "TO AMEND ARKANSAS CODE 7-4-101 PERTAINING TO THE STATE
15 BOARD OF ELECTION COMMISSIONERS."

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

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19 SECTION 1. Arkansas Code 7-4-101 is hereby amended to read as follows:

20 "7-4-101. State Board of Election Commissioners - Members - Officers -
21 Meetings.

22 (a) The State Board of Election Commissioners shall be composed of the
23 following *eight (8) persons with at least one (1) and not more than two (2)*
24 *from each congressional district:*

25 (1) *the Secretary of State as an ex officio nonvoting member;*

26 (2) *one (1) person designated by the state Democratic party;*

27 (3) *one (1) person designated by the state Republican party;*

28 (4) *one (1) person to be chosen by the President Pro Tempore of the*
29 *Arkansas Senate;*

30 (5) *one (1) person to be chosen by the Speaker of the Arkansas House of*
31 *Representatives;*

32 (6) *two (2) persons to be chosen by the Governor one (1) of whom shall*
33 *be a county clerk; and,*

34 (7) *one (1) person to be chosen by the following Constitutional*
35 *Officers: Lieutenant Governor, Attorney General, State Treasurer,*

1 Commissioner of State Lands, and State Auditor.

2 (b) The Secretary of State shall serve as chairman and secretary of the
3 board and keep the records of the board.

4 (c) Except for the Secretary of State and the county clerk, no member
5 of the board shall be an elected public official.

6 (d) The term on the board of the elected state official shall be
7 concurrent with the term as public elected officer. The county clerk shall
8 hold the office of county clerk when appointed to the board and shall be
9 removed as a member of the board if not in office. The term on the board of
10 all other board members shall be two (2) years or until their successors are
11 appointed and qualified in the manner provided hereinabove for the initial
12 appointment. No appointive member shall be reappointed for more than one (1)
13 term to succeed himself.

14 (e) The board shall meet at least every three (3) months, and more
15 often if needed, at a time and place which shall be designated by the
16 chairman. However, the meetings may be chaired and conducted by either the
17 chairman, if present, or a board member designated acting chairman for the
18 meeting by the chairman.

19 (f) The State Board of Election Commissioners may perform the following
20 duties:

21 (1) publish a plain english election handbook which addresses the
22 dos and don'ts for candidates under Arkansas law;

23 (2) conduct statewide training for election clerks and judges and
24 county election commissioners;

25 (3) monitor all election law related legislation;

26 (4) conduct investigations of citizen complaints and issue advisory
27 opinions regarding violation of election laws except when the same relates to
28 campaign finance and disclosure laws or is within the jurisdiction of the
29 Ethics Commission;

30 (5) to develop procedures for receiving citizen complaints which are
31 referred to in subsection (4).

32 (6) establish guidelines for and monitor the qualifications of all
33 election officials; and

34 (7) formulate, adopt and promulgate all necessary rules and regulations
35 to assure even and consistent application of fair and orderly election

1 procedures.

2 (g) All election-related questions are to be answered by the Secretary
3 of State's Office pursuant to §7-1-106 and shall be consistent and in
4 conformity with any policies, guidelines, or regulations established by the
5 board.

6 (h) The Attorney General shall provide legal assistance to the State
7 Board of Election Commissioners in answering questions regarding election
8 laws."

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10 SECTION 2. There is hereby levied an additional fee in the amount of
11 one cent (\$.01) for each registered voter identification and address purchased
12 through any county clerk by a private citizen or a private entity. The fee
13 shall be collected by each county clerk and remitted to the State Treasurer at
14 such time and under such procedure as prescribed by State Board of Election
15 Commissioners. The fees shall be deposited in the State Treasury as special
16 revenues and credited to the Computerized Voter Registration Fund which is
17 hereby created on the books of the State Treasurer, State Auditor and Chief
18 Fiscal Officer of the the State. The funds shall be used exclusively by the
19 State Board of Election Commissioners for funding a computerized state wide
20 voter registration system.

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22 SECTION 3. All provisions of this act of a general and permanent nature
23 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
24 Revision Commission shall incorporate the same in the code.

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26 SECTION 4. If any provision of this act or the application thereof to
27 any person or circumstance is held invalid, such invalidity shall not affect
28 other provisions or applications of the act which can be given effect without
29 the invalid provision or application, and to this end the provisions of this
30 act are declared to be severable.

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

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/s/Jodie Mahony, et al

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