

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 721

5 By: Senator B. King
6

For An Act To Be Entitled

8 AN ACT TO REVISE THE MEMBERSHIP AND TERMS OF THE
9 STATE BOARD OF ELECTION COMMISSIONERS; TO AMEND THE
10 LAW CONCERNING THE STATE BOARD OF ELECTION
11 COMMISSIONERS; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO REVISE THE MEMBERSHIP AND TERMS OF THE
16 STATE BOARD OF ELECTION COMMISSIONERS; TO
17 AMEND THE LAW CONCERNING THE STATE BOARD
18 OF ELECTION COMMISSIONERS; AND TO DECLARE
19 AN EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 7-4-101(a)-(e), concerning composition and
26 terms of the State Board of Election Commissioners, is amended to read as
27 follows:

28 (a) The State Board of Election Commissioners shall be composed of the
29 following ~~seven (7)~~ nine (9) persons, with at least one (1) from each
30 congressional district:

31 (1) The Secretary of State;

32 (2) One (1) ~~person~~ county election commissioner who has served
33 for at least three (3) years designated by the chair of the state Democratic
34 Party;

35 (3) One (1) county clerk designated by the chair of the state
36 Democratic Party;



1 (4) One (1) ~~person~~ county election commissioner who has served
 2 for at least three (3) years designated by the chair of the state Republican
 3 Party;

4 (5) One (1) county clerk designated by the chair of the state
 5 Republican Party;

6 ~~(4)~~(6) One (1) person ~~to be chosen~~ designated by the President
 7 Pro Tempore of the Senate;

8 ~~(5)~~(7) One (1) person ~~to be chosen~~ designated by the Speaker of
 9 the House of Representatives; ~~and~~

10 ~~(6)~~(8) ~~Two (2) persons to be chosen~~ One (1) person designated by
 11 the Governor, ~~one (1) of whom shall be a county clerk and one (1) of whom~~
 12 ~~shall have served for at least three (3) years as a county election~~
 13 ~~commissioner.; and~~

14 (9) One (1) person designated by the Lieutenant Governor.

15 (b) The Secretary of State shall serve as chair and secretary of the
 16 board.

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

19 (d)(1)(A) The term on the board of the Secretary of State shall be
 20 concurrent with his or her term in office.

21 ~~(2) The county clerk shall hold the office of county clerk when~~
 22 ~~appointed to the board and shall be removed as a member of the board if not~~
 23 ~~in office.~~

24 (B) Members of the board appointed by the chairs of the
 25 parties shall be appointed for terms of four (4) years and shall continue to
 26 serve until their successors have been appointed and taken the official oath.

27 ~~(3)~~(A)(C) Members of the board appointed by the President Pro
 28 Tempore of the Senate and the Speaker of the House of Representatives shall
 29 be appointed for terms of two (2) years and shall continue to serve until
 30 successors have been appointed and taken the official oath.

31 ~~(B) All other appointive members shall be appointed for~~
 32 ~~terms of four (4) years and shall continue to serve until successors have~~
 33 ~~been appointed and taken the official oath.~~

34 (D) A member of the board appointed by the Governor shall
 35 serve at the pleasure of the Governor.

36 (E) A member of the board appointed by the Lieutenant

1 Governor shall serve at the pleasure of the Lieutenant Governor.

2 ~~(4)~~(2) No appointive member shall be appointed to serve more
3 than two (2) consecutive full terms.

4 ~~(5)(A)~~(3)(A) If a vacancy on the board occurs, a successor shall
5 be appointed within thirty (30) days to serve the remainder of the unexpired
6 term.

7 (B) The appointment shall be made by the official holding
8 the office responsible for appointing the predecessor.

9 (e)(1) The board shall meet as needed upon call of the chair or upon
10 written request to the chair of any four (4) members.

11 (2) A majority of the membership of the board shall constitute a
12 quorum for conducting business.

13 (3) No sanctions shall be imposed without the affirmative vote
14 of at least ~~four~~ ~~(4)~~ five (5) members of the board.

15 (4) Meetings of the board may be chaired and conducted by either
16 the chair or a member of the board designated by the chair as acting chair
17 for the meeting.

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19 SECTION 2. DO NOT CODIFY.

20 Effective July 1, 2013, the current membership of the State Board of
21 Election Commissioners is terminated. The terms of the new members of the
22 State Board of Election Commissioners as appointed under this act shall begin
23 on July 1, 2013.

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25 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly of the State of Arkansas that the composition of the
27 membership of the State Board of Election Commissioners is essential to the
28 integrity of the election process, that honest and effective elections are
29 essential to the preservation of citizens' right to vote, that all elections
30 should be conducted by the most qualified and experienced persons in the
31 state, and that it is necessary to appoint and orient new members to the
32 State Board of Election Commissioners to ensure that they will be prepared
33 for the 2013 annual school election. Therefore, an emergency is declared to
34 exist, and this act being immediately necessary for the preservation of the
35 public peace, health, and safety shall become effective on:

36 (1) The date of its approval by the Governor;

1 (2) If the bill is neither approved nor vetoed by the Governor,
2 the expiration of the period of time during which the Governor may veto the
3 bill; or

4 (3) If the bill is vetoed by the Governor and the veto is
5 overridden, the date the last house overrides the veto.