

As Engrossed: 1/14/93 2/4/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 843 OF 1993
HOUSE BILL 1055

4 **By: Representatives Flanagan, Mahony, Dietz, Representatives Stewart, Willems, Beatty, I.**
5 ***Brown, Allen, Calhoun, Pryor, and Molinaro***

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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 7-4-102 TO PROVIDE THAT THE
10 *APPROPRIATE COUNTY COMMITTEES* SHALL ELECT SOMEONE TO SERVE
11 IN LIEU OF THE COUNTY CHAIRMAN OF THE COUNTY COMMITTEE OF
12 THE MAJORITY PARTY OR THE MINORITY PARTY IF THAT PERSON IS
13 AN ELECTED OFFICIAL OR OTHERWISE INELIGIBLE TO SERVE AS A
14 MEMBER OF THE COUNTY BOARD OF ELECTION COMMISSIONERS AND
15 TO SHORTEN THE PERIOD OF TIME FOR THE COUNTY COMMITTEE OF
16 THE MAJORITY PARTY TO SUBMIT A LIST OF NOMINEES TO THE
17 STATE BOARD OF ELECTION COMMISSIONERS; TO SHORTEN THE
18 PERIOD OF TIME DURING WHICH THE STATE BOARD OF ELECTION
19 COMMISSIONERS MUST ELECT THE THIRD MEMBER OF EACH COUNTY
20 BOARD OF ELECTION COMMISSIONERS; AND FOR OTHER PURPOSES."

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Subtitle

23 "TO AMEND ARKANSAS CODE 7-4-102 PERTAINING TO THE COUNTY
24 BOARD OF ELECTION COMMISSIONERS."

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

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28 SECTION 1. Subsections (a) and (b) of Arkansas Code 7-4-102 are amended
29 to read as follows:

30 "(a) (1) County boards of election commissioners - Election of members -
31 Oath.

32 The county chairman of the county committee of the majority party and
33 the county chairman of the county committee of the minority party shall be
34 members of the county board of election commissioners together with one (1)
35 additional or third member to be appointed by the State Board of Election
36 Commissioners.

1 (2) (A) Provided, however, if the county chairman of a county committee
2 of the majority party or the minority party is an elected official or is
3 otherwise ineligible to serve as a member of the county board of election
4 commissioners, he or she shall not serve as a member of the county board of
5 election commissioners, but the county committee shall elect someone to serve
6 in his or her stead.

7 (B) No elected official who serves as county party chairman shall
8 participate as a party officer in providing for or conducting a party primary
9 election in which his or her name appears on the ballot as a candidate for any
10 office.

11 (3) Any county chairman of a county committee of the majority party or
12 the minority party may elect not to serve as a member of the board of election
13 commissioners and the county committee shall appoint someone to serve in his
14 or her stead.

15 (b) (1) The third member for each of the county boards of election
16 commissioners shall be appointed by the State Board of Election Commissioners
17 from a list of five (5) names submitted to the State Board of Election
18 Commissioners by the county committee of the majority party.

19 (2) (A) The nominees shall be certified to the State Board of Election
20 Commissioners by the chairman of the county committee of the majority party.

21 (B) The third members for each of the county boards of election
22 commissioners shall be elected by a majority vote of the State Board of
23 Election Commissioners from the list of five (5) nominees submitted.

24 (C) The list of five (5) nominees shall be certified and submitted to
25 the State Board of Election Commissioners by the majority party county
26 committee chairman subsequent to the primary election but at least sixty (60)
27 calendar days before any general election for state, district, or county
28 office.

29 (D) The third member of each county board of election commissioners
30 shall be elected as aforesaid by the State Board of Election Commissioners at
31 least fifty (50) calendar days before any general election for state,
32 district, or county office.

33 (3) In the event of the failure of any county chairman of the county
34 central committee of the majority party to submit five (5) names in nomination
35 for the third member of the county board of election commissioners within the

1 time herein stipulated, the State Board of Election Commissioners shall
2 nominate and elect by majority vote the third member."

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4 SECTION 2. All provisions of this act of a general and permanent
5 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
6 Code Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provision of this act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this act are
15 hereby repealed.

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/s/P. Flanagan, et al

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APPROVED: 4/2/93

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