

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

A Bill

ACT 444 OF 1997
HOUSE BILL 1769

5 By: House Committee on State Agencies and Governmental Affairs
6
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For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 7-3-104 TO
10 REQUIRE THE NEW COUNTY CHAIRMAN OF A COUNTY COMMITTEE OF
11 ANY POLITICAL PARTY TO NOTIFY THE STATE PARTY CHAIRMAN OF
12 THE ELECTION OR APPOINTMENT WHO SHALL IN TURN NOTIFY THE
13 SECRETARY OF STATE; TO AMEND ARKANSAS CODE ANNOTATED §§ 7-
14 3-104, 7-3-106, AND 7-3-107 TO MAKE TECHNICAL CORRECTIONS
15 TO COMPLY WITH STATUTORY LAW REGARDING STATE FUNDED
16 PRIMARIES; TO AMEND ARKANSAS CODE ANNOTATED § 7-3-108 TO
17 REMOVE THE AUTHORITY OF THE SECRETARY OF STATE TO
18 INVESTIGATE NEW POLITICAL PARTIES FOR COMMUNIST OR
19 SUBVERSIVE ACTIVITY; AND FOR OTHER PURPOSES."
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Subtitle

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22 "TO AMEND VARIOUS SECTIONS OF A.C.A. § 7-
23 3-101, ET SEQ., PERTAINING TO POLITICAL
24 PARTIES."
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code Annotated § 7-3-104 is amended to read as
29 follows:

30 "7-3-104. County committee members.

31 (a)(1) The members of the county committee of political parties from
32 each election precinct, township, or city ward shall be elected by a majority
33 vote of those cast for each membership position at the primary elections held
34 by the political party.

35 (2) The county ~~committee~~ board of election commissioners shall
36 place on the ballot of the primary election the names of all persons seeking
37 election as members of the county committee who shall have filed a written

1 pledge to abide by the results of the primary, if any is required by the rules
 2 of the political party, and shall have paid the ~~ballot-filing~~ fee, if any,
 3 assessed therefor.

4 (3) If candidates for any county committee membership positions
 5 have not qualified as provided in this section within the time required for
 6 candidates to qualify, the county committee shall select candidates for
 7 committeeman at any public meeting of the committee held after the ticket has
 8 closed and prior to the time the primary election ballots are printed.

9 (4) Vacancies in the county committee shall be filled by the
 10 committee.

11 (b) Each person elected or appointed the county chairman of the county
 12 committee of ~~the majority~~ a political party and ~~of the minority party~~ shall
 13 notify in writing, within ten (10) days after his election or appointment, the
 14 ~~Secretary of State of his selection~~ state chairman of the respective party. It
 15 shall be the duty of the state party chairman to keep on file with the
 16 Secretary of State a complete list of the county chairmen and to notify
 17 promptly the Secretary of State of any death, resignation, disqualification,
 18 or vacancies in the office of any county chairman and of the election of a new
 19 chairman to fill vacancies thus created. The Secretary of State shall, upon
 20 receipt of such information, record the information, which shall be a public
 21 record.

22 (c) The members of the county committee of political parties and the
 23 chairman and secretary of each committee are declared to be ~~officers~~ election
 24 officials within the meaning of § 7-1-101."

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26 SECTION 2. Arkansas Code Annotated § 7-3-106(b) is amended to read as
 27 follows:

28 "(b) The county convention shall, ~~at the time, declare the results of~~
 29 ~~the primary election and~~ receive from the County Board of Election
 30 Commissioners a list of all nominated candidates for county, township, and
 31 municipal offices and the political parties county committee members and
 32 delegates and select delegates and alternates to all conventions held by the
 33 political party. However, the state committee of the political party may make
 34 rules for the election of delegates to the national convention of the
 35 political party, and the delegates may be elected before the primary
 36 elections."

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SECTION 3. Arkansas Code Annotated § 7-3-107 is amended to read as follows:

"7-3-107. State convention - Declaration of election results and nominees - Certificates.

Each political party ~~holding after a primary elections~~ election for the selection of nominees for United States, state, or district offices shall hold a state convention following the biennial general primary election for the purpose of:

(1) Receiving, ~~canvassing, and declaring~~ from the Secretary of State the certification of the election results for ~~the~~ all United States, State, and District offices. Each party shall ~~declare as the nominees of the political party those candidates who were unopposed or who received the majority of votes for each respective office and shall~~ furnish to each successful nominee a certificate of nomination;

(2) Performing such other duties as may be required by party rules or by law."

SECTION 4. Arkansas Code Annotated § 7-3-108(b) is amended to read as follows:

"(b) No newly organized political party shall be recognized or qualified to participate or permitted to have the names of its candidates printed on the ballot in any election in this state until it has filed an affidavit, by the officers of the party in this state under oath that:

(1) It is not directly or indirectly affiliated by any means whatsoever with the Communist Party of the United States, the Third Communist International, or any other foreign agency, political party, organization, or government; or

(2) It does not either directly or indirectly advocate, teach, justify, aid, or abet the overthrow by force or violence, or by any unlawful means, of the government of the United States or this state; or

(3) It does not directly or indirectly carry on, advocate, teach, justify, aid, or abet a program of sabotage, force and violence, sedition, or treason against the government of the United States or this state. The affidavit shall be filed with the Secretary of State, ~~and he shall make any investigation as he may deem necessary to determine the character and nature~~

1 ~~of the political doctrines of the proposed new party. If he finds that the~~
2 ~~proposed new party advocates doctrines or has affiliations which are in~~
3 ~~violation of the provisions of this act, he shall not permit the party to~~
4 ~~participate in the election."~~

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

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10 SECTION 6. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.

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16 SECTION 7. All laws and parts of laws in conflict with this act are
17 hereby repealed.

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19 APPROVED:3-11-97

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