

Act 73 of the Third Special Session of 1989.

Act 73

HB1006

By: Representative Tullis

For An Act To Be Entitled
"AN ACT TO AMEND ARKANSAS CODE 7-4-102(a) TO ALLOW A COUNTY
CHAIRMAN OF A POLITICAL PARTY WHO IS INELIGIBLE TO SERVE ON
THE COUNTY BOARD OF ELECTION COMMISSIONERS TO APPOINT SOMEONE
TO SERVE AS A COMMISSIONER; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 7-4-102(a), as amended by Act 522 of 1989, is hereby amended to read as follows:

"(a)(1) The county chairman of the county committee of the majority party and the county chairman of the county committee of the minority party shall be members of the county board of election commissioners together with one (1) additional or third member to be appointed by the State Board of Election Commissioners. Provided, however, if the county chairman of a county committee of the majority party or the minority party is an elected official, or is otherwise ineligible to serve as a member of the county board of election commissioners he or she shall not serve as a member of the county board of election commissioners but shall appoint someone to serve in his or her stead. Any county chairman of a county committee of the majority party or the minority party may elect not to serve as a member of the board of election commissioners and may appoint another person to serve in his or her stead.

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

(3) The third member for each of the county boards of election commissioners shall be appointed by the State Board of Election Commissioners from a list of five (5) names submitted to the State Board of Election Commissioners by the county committee of the majority party. The nominees shall be certified to the State Board of Election Commissioners by the chairman of the county committee of the majority party. The third members for each of the county board of election commissioners shall be elected by a majority vote of the State Board of Election Commissioners from the list of five (5) nominees submitted. The list of five (5) nominees shall be certified and submitted to the State Board of Election Commissioners by the majority party county committee chairman subsequent to the primary election but at least fifty (50) calendar days before any general election for state, district, or county office. The third member of each county board of election commissioners shall be elected as aforesaid by the State Board of Election Commissioners at least forty (40) calendar days before any general election for state, district, or county office. In the event of the failure of any county chairman of the county central committee of the majority party to submit five (5) names in nomination for the third member of the county board of election commissioners within the time herein stipulated, the State Board of Election Commissioners shall nominate and elect by majority vote the third member."

SECTION 2. The Secretary of State shall, as soon as possible, transmit a copy of this Act to each member of each county board of election commissioners.

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

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: November 16, 1989
