

**ARKANSAS SENATE**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of Senate Bill No. 270**  
"AN ACT TO IMPLEMENT THE FEDERAL HELP AMERICA VOTE ACT."  
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**Amendment No. 6 to Senate Bill No. 270.**

Amend Senate Bill No. 270 as engrossed, S3/4/03:

Page 15, line 12, add the following new language:

“SECTION 14. Arkansas Code § 7-4-101(f), concerning the state board of election commissioners, is amended to read as follows:

(f) The state board shall perform the following duties:

(1) Publish a candidate’s election handbook, in conjunction with the office of the Secretary of State and the Arkansas Ethics Commission, which outlines in a readable and understandable format the legal obligations of a candidate and any other suggestions that might be helpful to a candidate in complying with state election law;

(2) Conduct statewide training for election officials and county election commissioners;

(3) Adopt all necessary rules and regulations regarding training referred to in subdivision (f)(2) of this section and develop procedures for monitoring attendance;

(4) Monitor all election law-related legislation;

(5) Review citizen complaints regarding violations of election and voter registration laws and forward them to the proper authorities, except as to § 7-1-103(a)(1)-(4), (6), and (7) or except for any matter relating to campaign finance and disclosure laws, which the Arkansas Ethics Commission shall have the same power and authority to enforce as is provided the commission under §§ 7-6-217 and 7-6-218 for the enforcement of campaign finance laws;

(6) Develop procedures for reviewing and forwarding citizen complaints referred to in subdivision (f)(5) of this section;

(7) Formulate, adopt, and promulgate all necessary rules and regulations to assure even and consistent application of voter registration laws and fair and orderly election procedures;

(8)(A) Appoint certified election monitors to any county upon a signed, written request under oath filed with the state board and a determination by the state board that appointing a monitor is necessary.

(B) Certified election monitors shall serve as observers for the purpose of reporting to the state board on the conduct of the election.



(C) The state board may allow for reasonable compensation for election monitors;

(9) Assist the county board of election commissioners in the performance of the administrative duties of the election process if the state board determines that assistance is necessary and appropriate;

(10)(A) Formulate, adopt, and promulgate all necessary rules and regulations to establish uniform and nondiscriminatory administrative complaint procedures consistent with the requirements of Title IV of the federal Help America Vote Act.

(B) The cost of compliance with Title IV of the federal Help America Vote Act shall be paid from the fund established to comply with the federal Help America Vote Act.

~~(10)~~(11) If the state board finds a violation of election and voter registration laws, except as to § 7-1-103(a)(1)-(4), (6), and (7), or except for any matters relating to campaign finance and disclosure laws which the commission shall have the same power and authority to enforce under §§ 7-6-217 and 7-6-218 for the enforcement of campaign finance laws, the state board may do one (1) or more of the following:

(A) Issue a public letter of caution or warning or reprimand;

(B)(i) Impose a fine of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) for negligent or intentional violation of this subchapter.

(ii) The state board shall adopt rules governing the imposition of such fines in accordance with the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(iii) All moneys received by the state board in payment of fines shall be deposited in the State Treasury as general revenues; or

(C) Report its finding, along with such information and documents as it deems appropriate, and make recommendations to the proper law enforcement authorities;

~~(11)~~(12) The state board shall complete its investigation of a complaint filed pursuant to this section within no later than ninety (90) days of the filing of the complaint; and

~~(12)~~(13) Any final action of the state board under this section shall constitute an adjudication for purposes of judicial review under § 25-15-212.”

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Faris  
MTB/JGR - 030520031020  
JGR470

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Secretary