

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

INTERIM STUDY PROPOSAL 2007-129

State of Arkansas  
86th General Assembly  
Regular Session, 2007

**A Bill**

SENATE BILL 238

By: Senator J. Jeffress

Referred to  
State Agencies & Gov't Affairs - Senate  
by the Arkansas Senate  
on 03/28/2007

**For An Act To Be Entitled**

AN ACT CONCERNING FILING FOR REELECTION BY  
INCUMBENT CANDIDATES; AND FOR OTHER PURPOSES.

**Subtitle**

AN ACT CONCERNING FILING FOR REELECTION  
BY INCUMBENT CANDIDATES.

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

SECTION 1. Arkansas Code § 7-6-102(a), concerning the political practices pledge, is amended to read as follows:

(a)(1) ~~Candidates~~ Except as provided in subdivision (a)(7) of this section, candidates for state or district offices shall file with the Secretary of State and candidates for county, municipal, or township offices shall file with the county clerk of the county not later than 12:00 noon fourteen (14) days after the third Tuesday in March, before the preferential primary election, a pledge in writing stating that they are familiar with the requirements of §§ 7-1-103, 7-1-104, 7-3-108, and 7-6-101 – 7-6-104 and will, in good faith, comply with their terms.

(2) Persons nominated as independent candidates shall file the political practices pledge at the time of filing the petition for nomination.

(3) Independent candidates for municipal office shall file their

1 political practices pledges with the county clerk not fewer than ninety (90)  
 2 calendar days before the general election by 12:00 noon.

3 (4) Persons who wish to be write-in candidates shall file the  
 4 political practices pledge at the time of filing the notice to be a write-in  
 5 candidate. A write-in candidate shall file the political practices pledge  
 6 with the Secretary of State if a candidate for a state or district office or  
 7 with the county clerk if a candidate for a county, township, or municipal  
 8 office.

9 (5) Nonpartisan judicial candidates paying filing fees in  
 10 accordance with § 7-10-103(b) shall file the political practices pledge at  
 11 the time of filing for office.

12 (6) Nonpartisan judicial candidates filing by petition in  
 13 accordance with § 7-10-103(c) shall file the political practices pledge at  
 14 the time of filing the petition.

15 (7) An incumbent seeking reelection to his or her current office  
 16 shall file the political practices pledge during regular office hours  
 17 beginning at 12:00 noon on the second Tuesday in March and ending at 12:00  
 18 noon on the fourteenth day thereafter before the preferential primary  
 19 election.

20  
 21 SECTION 2. Arkansas Code § 7-7-203(c), concerning filing deadlines, is  
 22 amended to read as follows:

23 (c)(1) Party Except as provided in subdivision (c)(6) of this section,  
 24 party pledges, if any, shall be filed with the county clerk or the Secretary  
 25 of State, as the case may be, and ~~any~~ filing fees of a political party, if  
 26 any, shall be paid during regular office hours in the period beginning at  
 27 12:00 noon on the third Tuesday in March and ending at 12:00 noon on the  
 28 fourteenth day thereafter before the preferential primary election.

29 (2) A Except as provided in subdivision (c)(6) of this section,  
 30 a party certificate and the political ~~practice~~ practices pledge for primary  
 31 elections shall be filed with the county clerk or the Secretary of State, as  
 32 the case may be, during regular office hours in the period beginning at 12:00  
 33 noon on the third Tuesday in March and ending at 12:00 noon on the fourteenth  
 34 day thereafter before the preferential primary election.

35 (3) The name of a candidate who fails to file a party  
 36 certificate by the filing deadline with the Secretary of State or county

1 clerk, as the case may be, shall not appear on the ballot.

2 (4) Party pledges, if any, shall be filed, filing fees, if any,  
 3 shall be paid, and party certificates and political ~~practice~~ practices  
 4 pledges shall be filed for special primary elections on or before the  
 5 deadline established by proclamation of the Governor.

6 (5) Pledges and filing fees of the political party for a new  
 7 political party shall be filed and paid as provided in subsection (f) of this  
 8 section.

9 (6) An incumbent seeking reelection to his or her current office  
 10 shall file a party certificate, the political practices pledge, and any  
 11 filing fees or party pledges during regular office hours beginning at 12:00  
 12 noon on the second Tuesday in March and ending at 12:00 noon on the  
 13 fourteenth day thereafter before the preferential primary election.

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 15 SECTION 3. Arkansas Code § 7-10-103(b)(2)(B), concerning filing as a  
 16 candidate, is amended to read as follows:

17 (B)(i) The period for paying filing fees and filing  
 18 political ~~practice~~ practices pledges shall begin at 12:00 noon on the third  
 19 Tuesday in March and end at 12:00 noon on the fourteenth day thereafter.

20 (ii) However, an incumbent seeking reelection to his  
 21 or her current office shall file a party certificate, the political practices  
 22 pledge, and any filing fees or party pledges during regular office hours  
 23 beginning at 12:00 noon on the second Tuesday in March and ending at 12:00  
 24 noon on the fourteenth day thereafter before the preferential primary  
 25 election.

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 27 SECTION 4. Arkansas Code § 7-10-103(c)(1)(A), concerning nonpartisan  
 28 judicial offices, is amended to read as follows:

29 (c)(1)(A)(i)(a) Any person desiring to have his or her name placed on  
 30 the ballot for a nonpartisan judicial office without paying a filing fee may  
 31 do so by filing a petition in the manner provided for under this section.

32 ~~Petitions~~

33 (b) Except as provided in subdivision  
 34 (c)(1)(A)(iii) of this section, petitions for Supreme Court, Court of  
 35 Appeals, and circuit court positions shall be filed with the Secretary of  
 36 State, and petitions for district court positions shall be filed with the

1 applicable county clerk beginning at 12:00 noon forty-six (46) days before  
2 the third Tuesday in March and ending at 12:00 noon thirty-two (32) days  
3 before the third Tuesday in March.

4 (ii) Political ~~practice~~ practices pledges for  
5 nonpartisan judicial candidates filing by petition shall be filed at the same  
6 time as the petition.

7 (iii) An incumbent seeking reelection to his or her  
8 current nonpartisan judicial office shall file the petition and the political  
9 practices pledge during regular office hours beginning at 12:00 noon forty-  
10 six (46) days before the second Tuesday in March and ending at 12:00 noon  
11 thirty-two (32) days before the second Tuesday in March.

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