

INTERIM STUDY PROPOSAL 2019-060

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State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

SENATE BILL 636

By: Senator M. Johnson

Filed with: Senate Committee on City, County, and Local Affairs  
pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

AN ACT TO ESTABLISH THE POSITION OF COUNTY ELECTION  
COORDINATOR; AND FOR OTHER PURPOSES.

### Subtitle

TO ESTABLISH THE POSITION OF COUNTY  
ELECTION COORDINATOR.

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

SECTION 1. Arkansas Code Title 7, Chapter 4, is amended to add an  
additional subchapter to read as follows:

Subchapter 3 – County Election Coordinator

7-4-301. County election coordinator.

(a)(1) Each county judge shall designate a qualified election official  
or county clerk as the election coordinator for the county.

(2) A county shall not designate more than one (1) county  
election coordinator.

(b) The county election coordinator shall:

(1) Be approved by a majority vote of the county board of  
election commissioners;

(2) Serve at the pleasure of and under the supervision of the  
county board of election commissioners;

1           (3) Be certified in election administration by the State Board  
2 of Election Commissioners; and

3           (4) Receive periodic training from the State Board of Election  
4 Commissioners under § 7-4-305.

5           (c)(1) A county shall not be required to hire an additional employee  
6 to perform the duties of election coordinator.

7           (2) An employee of an elected county officer shall not be  
8 designated as the election coordinator without the express written permission  
9 of the elected official for whom he or she is employed.

10           (3)(A) If no other qualified person is available to perform the  
11 duties of the county election coordinator, the county may compensate a member  
12 of the county board of election commissioners for performing the county  
13 election coordinator's duties.

14           (B) Any compensation that a member of a county board of  
15 election commissioners may receive for performing the duties of county  
16 election coordinator shall be in addition to any compensation the person  
17 receives for performing his or her duties as a member of the county board of  
18 election commissioners unless the duties of the offices are performed  
19 simultaneously.

20           (C) The State Board of Election Commissioners shall  
21 reimburse expenses of the member of the county board of election  
22 commissioners who performs the duties of the county election coordinator in  
23 the same manner as the State Board of Election Commissioners reimburses other  
24 election expenses.

25           (d) A county may:

26           (1) Provide the county board of election commissioners with  
27 additional staff; and

28           (2) With prior approval from each county employee's supervisor,  
29 authorize an existing county employee to assist the election coordinator in  
30 the performance of his or her duties.

31           (e) No later than ten (10) days after the county election coordinator  
32 is designated, the county board of election commissioners shall provide a  
33 written document to the Secretary of State, the State Board of Election  
34 Commissioners, and the recognized county political parties that:

35           (1) Is signed by the chair of the county board of election  
36 commissioners; and

1           (2) Contains the following information concerning the county  
2 election coordinator:  
3                   (A) Name;  
4                   (B) Address;  
5                   (C) Telephone number;  
6                   (D) Fax number;  
7                   (E) Email address; and  
8                   (F) Emergency and after-business-hours contact  
9 information.

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11           7-4-302. Duties of county election coordinator.

12           (a) The county election coordinator shall:

13                   (1) Perform all election-related and administrative election  
14 duties assigned by the county board of election commissioners;

15                   (2) Provide the county board of election commissioners with  
16 reports as required by law or requested by the county board of election  
17 commissioners; and

18                   (3) Perform any other duties required by law.

19           (b)(1) In the absence of a full-time county election coordinator, a  
20 designated deputy county clerk may be designated to be responsible for  
21 election-related communications, filings, and submissions to the county board  
22 of election commissioners.

23                   (2) When the county clerk or his or her designated deputy clerk  
24 is performing the duties under subdivision (b)(1) of this section, he or she  
25 shall immediately transmit any election-related communications, filings, and  
26 submissions he or she receives to the chair of the county board of election  
27 commissioners, who shall disseminate them to the other members of the county  
28 board of election commissioners.

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30           7-4-303. County election coordinator certification – Training and  
31 failure to designate.

32           (a) A person shall not serve as a county election coordinator for the  
33 administration of the preferential primary election, general primary  
34 election, or general election without prior written certification that he or  
35 she has attended and satisfactorily completed the election officer training  
36 administered by the State Board of Election Commissioners.

1           (b)(1) Any county that fails to designate a certified county election  
2 coordinator under this subchapter by March 1, 2020, shall be subject to  
3 sanctions.

4           (2) The State Board of Election Commissioners may waive the  
5 certification requirement for good cause if the county board of election  
6 commissioners submits a request for waiver that:

7                   (A) Explains the reason the county failed to designate a  
8 certified county election clerk;

9                   (B) Describes the county's efforts to obtain a qualified,  
10 certified county election coordinator; and

11                   (C) Sets forth a plan for obtaining a certified county  
12 election coordinator.

13           (3) The State Board of Election Commissioners shall adopt rules  
14 that provide the factors to consider and standard of review when determining  
15 good cause under this section.

16           (4) A county that does not designate a certified county election  
17 coordinator and does not obtain a waiver shall not:

18                   (1) Receive state funds for the administration of  
19 elections;

20                   (2) Be reimbursed by the state for the cost of a  
21 preferential primary election, general primary election, or other state-  
22 funded election for which the county did not designate a certified county  
23 election coordinator in violation of this subchapter; or

24                   (3) Be reimbursed by the state for the cost of the  
25 preferential primary election immediately following a general election for  
26 which the county did not designate a certified county election coordinator in  
27 violation of this subchapter.

28           (c) Each county election coordinator shall attend the election officer  
29 training by the State Board of Election Commissioners upon request of the  
30 State Board of Election Commissioners.

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32           7-4-304. Qualifications of county election coordinators.

33           A county election coordinator shall:

34                   (1) Be able to read and write in the English language;

35                   (2) Not be a paid employee of any political party;

36                   (3) Not be a paid employee of a candidate for office;

1           (4) Except for the county clerk, not hold elective office; and  
 2           (5) Be certified in election administration by the State Board  
 3 of Election Commissioners under § 7-4-305.

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 5           7-4-305. Certification program.

6           (a)(1) The State Board of Election Commissioners shall establish a  
 7 certification program designed to train election officials and county  
 8 election coordinators in election administration.

9           (2) Certificates in election administration under this section  
 10 shall be issued by the State Board of Election Commissioners to participants  
 11 who complete a course of training and pass a test created and administered by  
 12 the State Board of Election Commissioners.

13           (3) The program under this section shall include instruction on  
 14 all aspects of election administration, approved voting systems, and any  
 15 other election-related matter prescribed by the State Board of Election  
 16 Commissioners.

17           (b) Certification and training under this section shall be renewed  
 18 every two (2) years.

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 21 Referred requested by the Arkansas Senate

22 Prepared by: JAW/VJF

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