

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1485

By: Representative Lendall

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE §§7-6-102 AND 7-7-401 TO PROVIDE THAT PERSONS NOMINATED AS CANDIDATES FOR UNITED STATES, STATE, OR DISTRICT OFFICES BY A POLITICAL PARTY CONVENTION SHALL BE CERTIFIED AND POLITICAL PRACTICES PLEDGES FILED NO MORE THAN FIFTY-FIVE (55) DAYS BUT NO LESS THAN FORTY-FIVE (45) DAYS PRIOR TO THE GENERAL ELECTION; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code §7-6-102(a) is hereby amended to read as follows:

"(a) (1) 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 on the first Tuesday of April, 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 by a political party convention to be candidates in the general election for United States, state or district offices shall file their political practices pledges with the Secretary of State not more than fifty-five (55) days but not less than forty-five (45) days prior to the general election.

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

(4) Independent candidates for municipal office shall file their political practices pledges with the county clerk of the county not less than

sixty (60) calendar days before the general election.

(5) Persons who wish to be write-in candidates shall file the political practices pledge at the time of filing the notice to be a write-in candidate."

SECTION 2. Arkansas Code §7-7-401 is hereby amended to read as follows:

"7-7-401. Certification of nominations. (a) The county committee shall certify the nomination of all county, township, and municipal offices to the county board of election commissioners and the county clerk. It shall further certify the vote of all candidates for United States, state, and district office to the state committee.

(b) The state committee shall receive the returns from the county committees and canvass and certify the result thereof as provided by law. Committees or their officers shall, when ordered by a circuit court as provided by law, annul the certifications made and make certifications in accordance with the judgment of the circuit court.

(c) The nominations of any and all political parties for candidates chosen at a regular or special primary election held by the political party shall be certified by the canvassing board of the primary election.

(d) (1) Nominees of political parties chosen by a convention of delegates, in those circumstances in which nominations by political party conventions are authorized by law, shall be certified by the chairman and secretary of the convention of delegates held by the political party.

(2) All certificates of nomination made by the chairman and secretary of conventions or of canvassing boards of primary elections shall be duly acknowledged before an officer authorized by law to take acknowledgments.

(e) Nomination as an independent candidate without political party affiliation for election to any office shall be certified by petition of electors in the manner provided in §7-7-103.

(f) Political parties not holding primary elections for the selection of nominees for United States, state, or district offices shall hold a state convention of delegates not later than thirty (30) days after the biennial general primary for the purpose of selecting candidates for those offices. The chairman and secretary of the convention of delegates of the political parties selecting their nominees by convention shall certify to the Secretary of State a list of duly nominated candidates for United States, state, or

district offices not more than fifty-five (55) days but not less than forty-five (45) days prior to the general election."

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.

