

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 2154

4
5 By: Representative Johnston

For An Act To Be Entitled

8 AN ACT TO REVISE ARKANSAS LAW CONCERNING MEMBERS OF
9 THE COUNTY BOARD OF ELECTION COMMISSIONERS; AND FOR
10 OTHER PURPOSES.

Subtitle

14 TO REVISE ARKANSAS LAW CONCERNING MEMBERS
15 OF THE COUNTY BOARD OF ELECTION
16 COMMISSIONERS.

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

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21 SECTION 1. Arkansas Code § 7-4-102 is amended to read as follows:

22 7-4-102. County boards of election commissioners -- Election of members
23 -- Oath.

24 ~~(a)(1) The county chair of the county committee of the majority party~~
25 ~~and the county chair of the county committee of the minority party shall be~~
26 ~~members of the county board of election commissioners together with one (1)~~
27 ~~additional or third member selected by the county committee of the majority~~
28 ~~party at the same time as the election of party officers.~~

29 ~~(2) Provided, however, if the county chair of a county committee~~
30 ~~of the majority party or the minority party is an elected official or is~~
31 ~~otherwise ineligible to serve as a member of the county board of election~~
32 ~~commissioners, he or she shall not serve as a member of the county board, but~~
33 ~~the county committee shall select a resident of the county qualified to serve~~
34 ~~in his or her stead.~~

35 ~~(3) Any county chair of a county committee of the majority party~~
36 ~~or the minority party may elect not to serve as a member of the county board,~~



1 ~~and the county committee shall select a resident of the county qualified to~~
2 ~~serve in his or her stead.~~

3 (a)(1) In January of each odd-numbered year following the election of
4 county committee officers, members of the county board of election
5 commissioners shall be elected by their respective county committees.

6 (2) The membership of the county board shall be as follows;

7 (A) Two (2) members elected by the county committee of the
8 majority party; and

9 (B) One (1) member elected by the county committee of the
10 minority party.

11 (b)(1) Within ten (10) days of the date of selection to the county
12 board ~~of election commissions~~, the chair or secretary of each county
13 committee shall notify the county clerk in writing of the names and addresses
14 of those selected to serve on the county board.

15 (2) Upon receipt of the notice, the county clerk shall send to
16 each of the county election commissioners, by registered mail, notice to
17 appear before the clerk within thirty (30) days of selection as a county
18 election commissioner to take and subscribe to the oath prescribed by the
19 Arkansas Constitution.

20 (3) The oath shall be filed in the office of the county clerk
21 and a duplicate forwarded to the Secretary of State.

22 (c) ~~Between January 1 and January 31 of each year~~ As soon as
23 practicable, following the election of members to the county board, the chair
24 of the majority party of the county shall file with the county clerk and the
25 Secretary of State a notice setting forth the names of the majority party's
26 designated members of the county board and the chair of the minority party
27 shall file with the county clerk and the Secretary of State a notice setting
28 forth the name of the minority party's member of the county board.

29 (d) The county board is deemed to consist of county officials, and its
30 members shall be immune from tort liability pursuant to § 21-9-301.

31 ~~(e)(1) Members of the county board shall serve for a term of three (3)~~
32 ~~years.~~

33 ~~(2) As of July 31, 2007, members of the county board shall draw~~
34 ~~lots for terms so that one (1) member shall serve for a term of one (1) year,~~
35 ~~one (1) member shall serve for a term of two (2) years, and one (1) member~~
36 ~~shall serve for a term of three (3) years.~~

1 ~~(3) Thereafter, all appointments shall be for terms of three (3)~~
2 ~~years, staggered so that one (1) term expires on January 15 of every year.~~

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4 SECTION 2. NOT TO BE CODIFIED. A member of a county board of election
5 commissioners serving as of the effective date of this act shall continue to
6 serve on the county board until his or her successor is selected by his or
7 her respective county committee.