

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S3/24/15

A Bill

SENATE BILL 963

5 By: Senator B. King
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING COMPLAINTS FILED
9 WITH AND INVESTIGATIONS PERFORMED BY THE STATE BOARD
10 OF ELECTION COMMISSIONERS; TO AMEND THE LAW
11 CONCERNING CRIMINAL INVESTIGATIONS OF VIOLATIONS OF
12 ELECTION LAWS; AND FOR OTHER PURPOSES.
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Subtitle

15 ACT TO AMEND THE LAW CONCERNING
16 COMPLAINTS FILED WITH AND INVESTIGATIONS
17 PERFORMED BY THE STATE BOARD OF ELECTION
18 COMMISSIONERS; AND TO AMEND THE LAW
19 CONCERNING CRIMINAL INVESTIGATIONS OF
20 VIOLATIONS OF ELECTION LAWS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 *SECTION 1. Arkansas Code § 7-4-118(f), concerning the time for*
27 *investigation by the State Board of Election Commissioners, is amended to*
28 *read as follows:*

29 *(f)(1) ~~The~~ Except as provided in subsection (g) of this section, the*
30 *board shall complete its investigation of a complaint filed according to this*
31 *section and take final action within one hundred eighty (180) days of the*
32 *filing of the complaint.*

33 *(2) ~~However, if~~ Except as provided in subsection (g) of this*
34 *section, if a hearing under subsection (c) of this section is conducted, all*
35 *action on the complaint by the board shall be completed within two hundred*
36 *forty (240) days.*



1 (3) Any final action of the board under this section shall
2 constitute an adjudication for purposes of judicial review under § 25-15-212.

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4 SECTION 2. Arkansas Code § 7-4-118, concerning complaints to and
5 investigations by the State Board of Election Commissioners, is amended to
6 add an additional subdivision to read as follows:

7 (h)(1) The State Board of Election Commissioners shall, upon request,
8 assist a law enforcement agency in its investigation of a violation of
9 election laws.

10 (2) If the State Board of Election Commissioners refers an
11 investigation to a law enforcement agency, the law enforcement agency shall
12 notify the State Board of Election Commissioners:

13 (A) When the investigation is closed or becomes inactive;
14 and

15 (B) Whether a warrant for arrest or criminal charges have
16 been pursued.

17 (3) The State Board of Election Commissioners may reopen a
18 closed investigation for an additional one hundred eighty (180) days if:

19 (A) The State Board of Election Commissioners closed its
20 investigation due to the initiation of a law enforcement investigation;

21 (B) The investigation by the law enforcement agency is
22 closed or becomes inactive; and

23 (C) The law enforcement agency has chosen not to pursue a
24 warrant for arrest or criminal charges at the time the investigation is
25 closed or becomes inactive.

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27 /s/B. King
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