

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Engrossed: S4/8/21 S4/15/21 H4/22/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

SENATE BILL 582

4

5 By: Senators K. Hammer, M. Johnson

6 By: Representatives Ladyman, Barker, Beaty Jr., Beck, Bentley, M. Berry, S. Berry, Boyd, Bragg,

7 Brooks, Brown, Carr, Cavanaugh, Christiansen, Cloud, Coleman, C. Cooper, Cozart, Crawford, Dalby,

8 M. Davis, Eaves, Eubanks, Evans, L. Fite, Gazaway, Gonzales, M. Gray, Haak, Hawks, Hollowell,

9 Lowery, Lundstrum, Maddox, McCollum, McGrew, McNair, S. Meeks, Payton, Penzo, Pilkington,

10 Richmond, Rye, B. Smith, S. Smith, Speaks, Vaught, Warren, Watson, Wing, Wooten

11

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## For An Act To Be Entitled

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*AN ACT TO AMEND ARKANSAS LAW CONCERNING COUNTY BOARDS*

14

*OF ELECTION COMMISSIONERS; TO AMEND HOW COUNTY BOARDS*

15

*OF ELECTION COMMISSIONERS TAKE THE OATH; TO AMEND*

16

*ARKANSAS LAW CONCERNING ELECTIONS; TO AMEND THE LAW*

17

*CONCERNING POLL WORKERS; AND FOR OTHER PURPOSES.*

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19

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## Subtitle

21

*TO AMEND ARKANSAS LAW CONCERNING COUNTY*

22

*BOARDS OF ELECTION COMMISSIONERS; TO*

23

*AMEND HOW COUNTY BOARDS OF ELECTION*

24

*COMMISSIONERS TAKE THE OATH; AND TO AMEND*

25

*ARKANSAS LAW CONCERNING ELECTIONS.*

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

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30 SECTION 1. Arkansas Code § 7-4-102(b)(2) and (3), concerning the oath

31 and election of members of county boards of election commissioners, are

32 amended to read as follows:

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(2)(A) Upon receipt of the notice, the county clerk shall send

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to each of the county election commissioners, by registered mail, ~~notice to~~

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~~appear before the clerk~~ within thirty (30) days of selection as a county

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election commissioner, a notice to take and subscribe to the oath prescribed



1 by the Arkansas Constitution.

2 (B) A county election commissioner shall take the oath  
3 before:

4 (1) A justice or judge of the:

5 (i) Supreme Court;

6 (ii) Court of Appeals;

7 (iii) Circuit court;

8 (iv) District court; or

9 (v) County court;

10 (2) The county clerk;

11 (3) The clerk of the circuit court; or

12 (4) A justice of the peace.

13 (3) The oath shall be filed in the office of the county clerk  
14 and the county clerk shall forward a duplicate ~~forwarded~~ to the Secretary of  
15 State.

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17 SECTION 2. Arkansas Code § 7-4-109(e)(1)(C) and (D), concerning the  
18 qualifications of state and county commissioners, election officials, poll  
19 workers, and certified election monitors, are amended to read as follows:

20 (C) A poll worker; ~~and~~

21 (D) A certified election monitor; and

22 (E) A county election coordinator.

23

24 SECTION 3. Arkansas Code § 7-4-109(e)(2), concerning the  
25 qualifications of state and county commissioners, election officials, poll  
26 workers, and certified election monitors, is amended to read as follows:

27 (2)(A) The State Board of Election Commissioners shall determine  
28 the method and amount of compensation for attending the training.

29 (B) A person required to receive the training shall take  
30 and pass an examination of essential skills as determined by the State Board  
31 of Election Commissioners to receive compensation.

32 (C) A person who passes an examination under subdivision  
33 (e)(2)(B) of this section shall receive a certificate of completion.

34 (D) The State Board of Election Commissioners shall  
35 promulgate rules under the Administrative Procedures Act, § 25-15-201 et  
36 seq., concerning the training requirements, materials, and examination of

1 essential skills.

2  
3 SECTION 4. Arkansas Code § 7-4-109(e), concerning the qualifications  
4 of state and county commissioners, election officials, poll workers, and  
5 certified election monitors, is amended to add additional subdivisions to  
6 read as follows:

7 (4)(A) A county board of election commissioners by a majority  
8 vote shall designate a person to attend the required training as a county  
9 election coordinator.

10 (B) The State Board of Election Commissioners shall not  
11 provide training or compensation for attending training to a county election  
12 coordinator if the county election coordinator has not been designated to  
13 take the required training by a county board of election commissioners.

14 (5)(A) The State Board of Election Commissioners shall identify  
15 at least one (1) person not employed by a county in any capacity each year,  
16 who shall receive the same training as a county election coordinator, and who  
17 shall receive compensation for attending training.

18 (B) The person identified by the State Board of Election  
19 Commissioners may be a state employee being cross-trained, or a person who is  
20 not a state employee that the State Board of Election Commissioners considers  
21 qualified to become an acting county election coordinator as a special  
22 employee of the State Board of Election Commissioners.

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24 SECTION 5. Arkansas Code § 7-5-202(a)(2), concerning service as an  
25 election official, deputy county clerk, or additional deputy, is amended to  
26 read as follows:

27 (2) A person shall not serve as an election official if:

28 (A) The person is:

29 (i) Married to or related within the second degree  
30 of consanguinity to a candidate running for office in the election;

31 (ii) The spouse of a member of a county board of  
32 election commissioners, except the spouse of a member of a county board of  
33 election commissioners may work as a poll worker if no objection is made to  
34 his or her service as a poll worker to the county board of election  
35 commissioners within ten (10) calendar days after posting the list of  
36 officials; or

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(iii) A county party chair or his or her spouse, except the county party chair or his or her spouse may work as a poll worker if no objection is made to his or her service to the county board of election commissioners within ten (10) calendar days after posting the list of officials; and

(B) Another person makes an objection to his or her service to the county board of election commissioners within ten (10) calendar days after posting the list of officials.

/s/K. Hammer