

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1844

5 By: Representative Pilkington
6 By: Senator T. Garner
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE PUBLIC OFFICE FILING FEE
10 COMMISSION; TO AMEND THE LAW CONCERNING POLITICAL
11 PARTY FILING FEES; AND FOR OTHER PURPOSES.
12
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Subtitle

15 TO CREATE THE PUBLIC OFFICE FILING FEE
16 COMMISSION; AND TO AMEND THE LAW
17 CONCERNING POLITICAL PARTY FILING FEES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 7-7-301 is amended to read as follows:

23 7-7-301. Party pledges, affidavits of eligibility, and party filing
24 fees.

25 (a) ~~A political party may impose a filing fee for candidates seeking~~
26 ~~nomination by that party. The filing fee for county, municipal, and township~~
27 ~~offices shall be fixed by the county committee, as authorized by the state~~
28 ~~executive committee. For all other races, the filing fee for all candidates~~
29 seeking an elected office shall be established by the ~~state executive~~
30 ~~committee~~ Public Office Filing Fee Commission. On or before noon of the last
31 day of the political party filing period, all candidates at primary elections
32 of political parties shall file an affidavit of eligibility and any pledge
33 required by such party and shall pay the ~~party filing fees required by the~~
34 party fee, as follows:

35 (1) Candidates for United States Senator, for United States
36 Representative, and for all state offices shall file the pledge and the



1 affidavit of eligibility and pay the ~~party~~ filing ~~fees~~ fee with the secretary
 2 of the state committee of the political party or his or her designated agent;

3 (2) Candidates for district offices, including, but not limited
 4 to, the offices of State Representative and State Senator, shall file the
 5 pledge and affidavit of eligibility with the secretary of the state committee
 6 of the political party or his or her designated agent and pay the ~~party~~
 7 filing ~~fees~~ fee with the secretary of the state committee of the political
 8 party or his or her designated agent; and

9 (3) All candidates for county, municipal, and township offices,
 10 candidates for county committee member, and delegates to the county
 11 convention shall file the pledge and the affidavit of eligibility and pay the
 12 ~~party~~ filing ~~fees~~ fee with the secretary of the county committee of the
 13 political party.

14 (b) The county clerk shall not accept for filing the political
 15 practices pledge of any candidate for nomination by a political party to any
 16 county, township, or partisan municipal office, nor shall the Secretary of
 17 State accept for filing the political practices pledge of any candidate for
 18 nomination by a political party to any state or district office, unless the
 19 candidate first files a party certificate.

20 (c) Any candidate who shall fail to file the party pledge and
 21 affidavit of eligibility and pay the ~~party~~ filing fee at the time and in the
 22 manner as provided in this section shall not receive a party certificate and
 23 shall not have his or her name printed on the ballot at any primary election.

24 (d) The names of candidates who file with the state committee as
 25 provided in this section shall be certified to the various county committees
 26 and the various county boards of election commissioners in the manner and at
 27 the time provided in § 7-7-203.

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 29 SECTION 2. Arkansas Code Title 25, is amended to add an additional
 30 chapter to read as follows:

31 Chapter 44 – Public Office Filing Fee Commission

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 33 25-44-101. Public Office Filing Fee Commission.

34 (a) There is created the Public Office Filing Fee Commission.

35 (b) The commission shall establish the filing fees for all elected
 36 offices.

1 (c)(1)(A) Each member of the commission shall serve a term of two (2)
2 years.

3 (B) A person shall not serve more than two (2) terms on
4 the commission.

5 (2)(A) The commission shall consist of ten (10) voting members,
6 the distribution of the membership shall be in a percentage equal to the
7 percentage of each political party represented in the House of
8 Representatives and one (1) nonvoting member who shall be a registered
9 independent.

10 (B) A political party shall have a minimum of ten (10)
11 party members elected to the House of Representatives to hold a seat on the
12 commission.

13 (C) The members of the commission representing the
14 Republican Party of Arkansas shall be appointed by the Chair of the
15 Republican Party of Arkansas.

16 (D) The members of the commission representing the
17 Democratic Party of Arkansas shall be appointed by the Chair of the
18 Democratic Party of Arkansas.

19 (3) The commission shall have one (1) nonvoting member who is a
20 registered independent and who shall be appointed by the Governor.

21 (4) Vacancies on the commission shall be filled in the manner of
22 the original appointment.

23 (5) The commission shall elect from its membership:

24 (A) A chair; and

25 (B) Other officers deemed necessary by the commission.

26 (6) Four (4) members of the commission shall constitute a quorum
27 for the purpose of transacting business.

28 (7) A majority vote of the total membership of the commission is
29 required for any action of the commission.

30 (8) The Secretary of State's office shall provide staff
31 assistance as may be requested by the commission.

32 (d)(1) In making appointments to the commission, the chairs of the
33 political parties and the Governor shall consider racial, gender, and
34 geographical diversity.

35 (2) A member of the commission shall be:

36 (A) A citizen of the United States;

1 (B) A resident of the State of Arkansas for at least two
 2 (2) years preceding his or her appointment;

3 (C) A qualified elector; and

4 (D) At least twenty-five (25) years of age.

5 (3) The following persons shall not serve on the commission:

6 (A) A person holding civil office;

7 (B) An employee of the State of Arkansas;

8 (C) A person required by law to register as a lobbyist; or

9 (D)(i) An immediate family member of:

10 (a) A person holding civil office;

11 (b) An employee of the State of Arkansas; or

12 (c) A person required by law to register as a
 13 lobbyist.

14 (ii) As used in subdivision (c)(3)(D)(i) of this
 15 section, "immediate family member" means a person's spouse, a child of the
 16 person or the spouse, a child's spouse, a parent of the person or the spouse,
 17 a brother or sister of the person or the spouse, anyone living or residing in
 18 the same residence or household with the person or the spouse, or anyone
 19 acting or serving as an agent of the person.

20 (e) The commission shall have the duty to establish a uniform
 21 political party filing fee for each candidate for elected office in the
 22 state.

23 (f) Members of the commission shall receive no compensation, expense
 24 reimbursement, or in-lieu-of payments.

25 (g)(1) Initial members of the commission shall be appointed by October
 26 30, 2021.

27 (2) The Secretary of State shall call the first meeting of the
 28 commission, which shall occur within thirty (30) days of October 30, 2021.

29 (h) The commission shall be subject to the Freedom of Information Act
 30 of 1967, § 25-19-101 et seq.

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