

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*

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

13

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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Subtitle

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TO AMEND ARKANSAS LAW CONCERNING COUNTY

22

BOARDS OF ELECTION COMMISSIONERS; TO

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AMEND HOW COUNTY BOARDS OF ELECTION

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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:

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

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

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

36 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.

16

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.

23
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

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

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

9
10 SECTION 6. Arkansas Code § 7-5-414(b), concerning the qualifications
11 and appointment of election clerks, is amended to add additional subdivisions
12 to read as follows:

13 (3) No election clerk shall serve in the same precinct as a
14 spouse, parent, stepparent, child, stepchild, sibling, or stepsibling, unless
15 they serve on separate shifts that do not run concurrently or in other duties
16 as assigned unless approved by the county board of election commissioners.

17 (4)(A) Election clerks working in groups of two shall not be
18 from the same political party.

19 (B) If an election clerk with a political affiliation that
20 is the same as a political party represented on the county board of election
21 commissioners is unavailable, the county board of election commissioners
22 shall select an election clerk without party affiliation, with the party
23 affiliation of a new political party, or with the party affiliation of
24 another political party not represented on the county board of election
25 commissioners.

26 (C) The county board of election commissioners may approve
27 alternate election clerks that do not meet the requirements of subdivisions
28 (b)(4)(A) and (B) of this section by a majority vote of the county board of
29 election commissioners.

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31
32 /s/K. Hammer
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