

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4
5 By: Senator M. Johnson
6

A Bill

SENATE BILL 636

For An Act To Be Entitled

8 AN ACT TO ESTABLISH THE POSITION OF COUNTY ELECTION
9 COORDINATOR; AND FOR OTHER PURPOSES.

Subtitle

12 TO ESTABLISH THE POSITION OF COUNTY
13 ELECTION COORDINATOR.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 7, Chapter 4, is amended to add an
20 additional subchapter to read as follows:
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Subchapter 3 – County Election Coordinator

7-4-301. County election coordinator.

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25 (a)(1) Each county judge shall designate a qualified election official
26 or county clerk as the election coordinator for the county.

27 (2) A county shall not designate more than one (1) county
28 election coordinator.

(b) The county election coordinator shall:

29
30 (1) Be approved by a majority vote of the county board of
31 election commissioners;

32 (2) Serve at the pleasure of and under the supervision of the
33 county board of election commissioners;

34 (3) Be certified in election administration by the State Board
35 of Election Commissioners; and

36 (4) Receive periodic training from the State Board of Election



1 Commissioners under § 7-4-305.

2 (c)(1) A county shall not be required to hire an additional employee
3 to perform the duties of election coordinator.

4 (2) An employee of an elected county officer shall not be
5 designated as the election coordinator without the express written permission
6 of the elected official for whom he or she is employed.

7 (3)(A) If no other qualified person is available to perform the
8 duties of the county election coordinator, the county may compensate a member
9 of the county board of election commissioners for performing the county
10 election coordinator's duties.

11 (B) Any compensation that a member of a county board of
12 election commissioners may receive for performing the duties of county
13 election coordinator shall be in addition to any compensation the person
14 receives for performing his or her duties as a member of the county board of
15 election commissioners unless the duties of the offices are performed
16 simultaneously.

17 (C) The State Board of Election Commissioners shall
18 reimburse expenses of the member of the county board of election
19 commissioners who performs the duties of the county election coordinator in
20 the same manner as the State Board of Election Commissioners reimburses other
21 election expenses.

22 (d) A county may:

23 (1) Provide the county board of election commissioners with
24 additional staff; and

25 (2) With prior approval from each county employee's supervisor,
26 authorize an existing county employee to assist the election coordinator in
27 the performance of his or her duties.

28 (e) No later than ten (10) days after the county election coordinator
29 is designated, the county board of election commissioners shall provide a
30 written document to the Secretary of State, the State Board of Election
31 Commissioners, and the recognized county political parties that:

32 (1) Is signed by the chair of the county board of election
33 commissioners; and

34 (2) Contains the following information concerning the county
35 election coordinator:

36 (A) Name;

1 (B) Address;
2 (C) Telephone number;
3 (D) Fax number;
4 (E) Email address; and
5 (F) Emergency and after-business-hours contact
6 information.

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8 7-4-302. Duties of county election coordinator.

9 (a) The county election coordinator shall:

10 (1) Perform all election-related and administrative election
11 duties assigned by the county board of election commissioners;

12 (2) Provide the county board of election commissioners with
13 reports as required by law or requested by the county board of election
14 commissioners; and

15 (3) Perform any other duties required by law.

16 (b)(1) In the absence of a full-time county election coordinator, a
17 designated deputy county clerk may be designated to be responsible for
18 election-related communications, filings, and submissions to the county board
19 of election commissioners.

20 (2) When the county clerk or his or her designated deputy clerk
21 is performing the duties under subdivision (b)(1) of this section, he or she
22 shall immediately transmit any election-related communications, filings, and
23 submissions he or she receives to the chair of the county board of election
24 commissioners, who shall disseminate them to the other members of the county
25 board of election commissioners.

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27 7-4-303. County election coordinator certification – Training and
28 failure to designate.

29 (a) A person shall not serve as a county election coordinator for the
30 administration of the preferential primary election, general primary
31 election, or general election without prior written certification that he or
32 she has attended and satisfactorily completed the election officer training
33 administered by the State Board of Election Commissioners.

34 (b)(1) Any county that fails to designate a certified county election
35 coordinator under this subchapter by March 1, 2020, shall be subject to
36 sanctions.

1 (2) The State Board of Election Commissioners may waive the
2 certification requirement for good cause if the county board of election
3 commissioners submits a request for waiver that:

4 (A) Explains the reason the county failed to designate a
5 certified county election clerk;

6 (B) Describes the county's efforts to obtain a qualified,
7 certified county election coordinator; and

8 (C) Sets forth a plan for obtaining a certified county
9 election coordinator.

10 (3) The State Board of Election Commissioners shall adopt rules
11 that provide the factors to consider and standard of review when determining
12 good cause under this section.

13 (4) A county that does not designate a certified county election
14 coordinator and does not obtain a waiver shall not:

15 (1) Receive state funds for the administration of
16 elections;

17 (2) Be reimbursed by the state for the cost of a
18 preferential primary election, general primary election, or other state-
19 funded election for which the county did not designate a certified county
20 election coordinator in violation of this subchapter; or

21 (3) Be reimbursed by the state for the cost of the
22 preferential primary election immediately following a general election for
23 which the county did not designate a certified county election coordinator in
24 violation of this subchapter.

25 (c) Each county election coordinator shall attend the election officer
26 training by the State Board of Election Commissioners upon request of the
27 State Board of Election Commissioners.

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29 7-4-304. Qualifications of county election coordinators.

30 A county election coordinator shall:

31 (1) Be able to read and write in the English language;

32 (2) Not be a paid employee of any political party;

33 (3) Not be a paid employee of a candidate for office;

34 (4) Except for the county clerk, not hold elective office; and

35 (5) Be certified in election administration by the State Board
36 of Election Commissioners under § 7-4-305.

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7-4-305. Certification program.

(a)(1) The State Board of Election Commissioners shall establish a certification program designed to train election officials and county election coordinators in election administration.

(2) Certificates in election administration under this section shall be issued by the State Board of Election Commissioners to participants who complete a course of training and pass a test created and administered by the State Board of Election Commissioners.

(3) The program under this section shall include instruction on all aspects of election administration, approved voting systems, and any other election-related matter prescribed by the State Board of Election Commissioners.

(b) Certification and training under this section shall be renewed every two (2) years.