

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

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

SENATE BILL 721

By: Senator B. King

## For An Act To Be Entitled

AN ACT TO REVISE THE MEMBERSHIP AND TERMS OF THE STATE BOARD OF ELECTION COMMISSIONERS; TO AMEND THE LAW CONCERNING THE STATE BOARD OF ELECTION COMMISSIONERS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO REVISE THE MEMBERSHIP AND TERMS OF THE STATE BOARD OF ELECTION COMMISSIONERS; TO AMEND THE LAW CONCERNING THE STATE BOARD OF ELECTION COMMISSIONERS; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 7-4-101(a)-(e), concerning composition and terms of the State Board of Election Commissioners, is amended to read as follows:

(a) The State Board of Election Commissioners shall be composed of the following ~~seven (7)~~ nine (9) persons, with at least one (1) from each congressional district:

(1) The Secretary of State;

(2) One (1) ~~person~~ county election commissioner who has served for at least three (3) years designated by the chair of the state Democratic Party;

(3) One (1) county clerk designated by the chair of the state Democratic Party;



(4) One (1) ~~person~~ county election commissioner who has served for at least three (3) years designated by the chair of the state Republican Party;

(5) One (1) county clerk designated by the chair of the state Republican Party;

~~(4)(6)~~ One (1) person ~~to be chosen~~ designated by the President Pro Tempore of the Senate;

~~(5)(7)~~ One (1) person ~~to be chosen~~ designated by the Speaker of the House of Representatives; ~~and~~

~~(6)(8) Two (2) persons to be chosen~~ One (1) person designated by the Governor, ~~one (1) of whom shall be a county clerk and one (1) of whom shall have served for at least three (3) years as a county election commissioner.; and~~

(9) One (1) person designated by the Lieutenant Governor.

(b) The Secretary of State shall serve as chair and secretary of the board.

(c) Except for the Secretary of State and the county clerk, no member of the board shall be an elected public official.

(d)(1)(A) The term on the board of the Secretary of State shall be concurrent with his or her term in office.

~~(2) The county clerk shall hold the office of county clerk when appointed to the board and shall be removed as a member of the board if not in office.~~

(B) Members of the board appointed by the chairs of the parties shall be appointed for terms of four (4) years and shall continue to serve until their successors have been appointed and taken the official oath.

~~(3)(A)(C)~~ Members of the board appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall be appointed for terms of two (2) years and shall continue to serve until successors have been appointed and taken the official oath.

~~(B) All other appointive members shall be appointed for terms of four (4) years and shall continue to serve until successors have been appointed and taken the official oath.~~

(D) A member of the board appointed by the Governor shall serve at the pleasure of the Governor.

(E) A member of the board appointed by the Lieutenant

Governor shall serve at the pleasure of the Lieutenant Governor.

~~(4)(2)~~ No appointive member shall be appointed to serve more than two (2) consecutive full terms.

~~(5)(A)(3)(A)~~ If a vacancy on the board occurs, a successor shall be appointed within thirty (30) days to serve the remainder of the unexpired term.

(B) The appointment shall be made by the official holding the office responsible for appointing the predecessor.

(e)(1) The board shall meet as needed upon call of the chair or upon written request to the chair of any four (4) members.

(2) A majority of the membership of the board shall constitute a quorum for conducting business.

(3) No sanctions shall be imposed without the affirmative vote of at least ~~four (4)~~ five (5) members of the board.

(4) Meetings of the board may be chaired and conducted by either the chair or a member of the board designated by the chair as acting chair for the meeting.

SECTION 2. DO NOT CODIFY.

Effective July 1, 2013, the current membership of the State Board of Election Commissioners is terminated. The terms of the new members of the State Board of Election Commissioners as appointed under this act shall begin on July 1, 2013.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the composition of the membership of the State Board of Election Commissioners is essential to the integrity of the election process, that honest and effective elections are essential to the preservation of citizens' right to vote, that all elections should be conducted by the most qualified and experienced persons in the state, and that it is necessary to appoint and orient new members to the State Board of Election Commissioners to ensure that they will be prepared for the 2013 annual school election. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.