

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

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S4/2/13
A Bill

SENATE BILL 956

By: Senator B. King

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING SERVICE ON A COUNTY BOARD OF ELECTION COMMISSIONERS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING SERVICE ON A COUNTY BOARD OF ELECTION COMMISSIONERS.

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

SECTION 1. Arkansas Code § 7-4-109(d), concerning service on the county board of election commissioners, is amended to read as follows:

(d)(1) No person may serve as an election official if married to or related within the second degree of consanguinity to any candidate running for office in the current election ~~if objection to his or her service is made to the county board within ten (10) calendar days after posting the list of officials.~~

(2)(A) Except as provided under subdivision (d)(3) of this section, a member of a county board of election commissioners shall recuse himself or herself from service on the board for the current election if the following is running for office on that county's ballot:

- (i) The spouse of the member of the county board;
- (ii) A person related within the second degree of consanguinity or affinity to the member of the county board;
- (iii) The spouse of a person related within the second degree of consanguinity to the member of the county board; or



(iv) The business partner of a member of the county board; or

(B) If a member of the county board is required to recuse himself or herself under subdivision (d)(2)(A) of this section, the chair of the county's committee for the political party of the recusing member of the county board shall appoint an interim member of the county board who shall serve until the earlier of the following:

(i) The deadline for the final certification of the election results by the county board to the county clerk; or

(ii) The individual prompting recusal under subdivisions (d)(2)(A)(i)-(v) no longer appears on the ballot or, for a write-in candidate, is no longer seeking election.

(3) A member of a county board of election commissioners may continue his or her service as a member if the person under subdivision (d)(2)(A) of this section is a candidate for election in an uncontested race.

(4) As used in this section, "business partner" means a person with whom the member of the county board of election commissioners has a fiduciary relationship in which one person is under a duty to act for the benefit of the other on matters within the scope of the relationship.

/s/B. King