

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

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1697

By: Representatives M. Gray, Tosh, Ballinger, Barker, Beck, Brown, Davis, C. Douglas, L. Fite, Gates, Gazaway, Henderson, G. Hodges, Hollowell, Ladyman, Lemons, Lundstrum, Payton, Pilkington, Rushing, Rye, B. Smith, Sullivan
By: Senator Hester

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING THE DATES OF THE GENERAL PRIMARY ELECTION AND PREFERENTIAL PRIMARY ELECTION; TO AMEND THE TIME PERIOD FOR FILING AS A CANDIDATE FOR A PRIMARY ELECTION; TO AMEND ARKANSAS LAW CONCERNING THE TIME FOR THE GENERAL ASSEMBLY TO MEET IN FISCAL SESSION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DATES OF THE GENERAL PRIMARY ELECTION AND PREFERENTIAL PRIMARY ELECTION; TO AMEND THE TIME PERIOD FOR FILING AS A CANDIDATE FOR A PRIMARY ELECTION; AND TO AMEND THE TIME FOR THE FISCAL SESSION.

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

SECTION 1. Arkansas Code § 7-7-203(a)-(c), concerning the dates of the general primary election and preferential primary election, are amended to read as follows:

(a) The general primary election shall be held on the ~~second Tuesday in June~~ preceding fourth Tuesday in March before the general election.

(b) The preferential primary election shall be held on the Tuesday three (3) weeks before the general primary election.



(c)(1) The party filing period shall be a one-week period ~~ending at 12:00 noon on the first day in March and beginning at 12:00 noon one (1) week prior to the first day in March~~ beginning at 12:00 noon on the first Monday in November preceding the general primary election and ending at 12:00 noon on the seventh day thereafter.

(2) Party pledges, if any, and affidavits of eligibility shall be filed, any filing fees of a political party, if any, shall be paid, and party certificates shall be issued by the party during regular office hours during the party filing period.

(3) A party certificate and the political practices pledge shall be filed with the county clerk or the Secretary of State, as the case may be, during regular office hours during the party filing period.

(4) The name of a candidate who fails to file a party certificate and political practices pledge by the filing deadline with the Secretary of State or county clerk, as the case may be, shall not appear on the ballot.

(5) Party pledges, if any, shall be filed, filing fees, if any, shall be paid, and party certificates and political practice pledges shall be filed for special primary elections on or before the deadline established by proclamation of the Governor or other entity authorized to call a special primary election.

SECTION 2. Arkansas Code § 7-7-304(a) and (b), concerning names to be included on ballots, is amended to read as follows:

(a)(1) Not less than ~~seventy-five (75)~~ ninety-two (92) days before each preferential primary election, the Secretary of State shall certify to all county boards of election commissioners full lists of the names of all candidates who have filed party certificates with him or her to be placed on the ballots in their respective counties at the preferential primary election.

(2) A name of a person shall not be certified and shall not be placed on the ballot if prior to the certification deadline a candidate:

(A) Notifies the Secretary of State in writing, signed by the candidate and acknowledged before an officer authorized to take acknowledgements, of his or her desire to withdraw as a candidate for the office or position; or

(B) Dies.

(b)(1) Not less than ~~seventy-five (75)~~ ninety-two (92) days before each preferential primary election, the county clerk shall certify to the county board full lists of the names of all candidates who have filed party certificates with him or her to be placed on the ballot at the preferential primary election.

(2) A name of a person shall not be certified and shall not be placed on the ballot if prior to the certification deadline a candidate:

(A) Notifies the county clerk in writing, signed by the candidate and acknowledged before an officer authorized to take acknowledgements, of his or her desire to withdraw as a candidate for the office or position; or

(B) Dies.

SECTION 3. Arkansas Code § 7-7-305(b), concerning printing of ballots, is amended to read as follows:

(b) The order in which the names of the respective candidates are to appear on the ballots at all preferential and general primary elections shall be determined by lot at the public meeting of the county board of election commissioners held not later than ~~seventy-two (72)~~ eighty-nine (89) days before the preferential primary election. The county board shall give at least ten (10) days' written notice of the time and place of the meeting to the chairs of the county committees if the chairs are not members of the board, and at least three (3) days before the meeting, shall publish notice of the time and place of holding the meeting in some newspaper of general circulation in the county.

SECTION 4. Arkansas Code § 14-42-206(a)(1), concerning resolutions requesting that county political party committees conduct party primaries, is amended to read as follows:

(a)(1) The city or town council of any city or town with the mayor-council form of government, by resolution passed ~~before January 1 of the year of the election~~ no less than sixty (60) days before the party filing period under § 7-7-203, may request the county party committees of recognized political parties under the laws of the state to conduct party primaries for municipal offices for the forthcoming year.

SECTION 5. Arkansas Code Title 21, Chapter 8, Subchapter 7, is amended to add an additional section to read as follows:

21-8-706. Filing of additional statement of financial interest in year in which party filing period is held.

If the party filing period under § 7-7-203 ends before January 1 of the year of the general election, a candidate for elective office shall file a statement of financial interest for the previous calendar year no later than January 31 of the year of the general election in addition to the statement of financial interest required under § 21-8-701.

SECTION 6. Arkansas Code § 10-2-101(b)(1), concerning the timing of the fiscal session of the General Assembly, is amended to read as follows:

(b)(1) The General Assembly shall meet in a fiscal session at 12:00 noon on the second ~~Monday in February~~ Wednesday in April of each even-numbered year to consider appropriation bills.

SECTION 7. Arkansas Code § 10-2-112(a)(1)(B)(i), concerning the prefiling of bills and resolutions, is amended to read as follows:

(B)(i) The second Monday of ~~January~~ March of each year of a fiscal session of the General Assembly.

SECTION 8. Arkansas Code § 10-3-2104(d)(3), concerning findings and recommendations of the House Committee on Education and Senate Committee on Education, is amended to read as follows:

(3) By ~~November~~ March 1 of the calendar year ~~before the beginning~~ of a fiscal session, if the House Committee on Education and the Senate Committee on Education find that the recommendations in the most recent adequacy evaluation report filed under this section should be amended, the House Committee on Education and the Senate Committee on Education, jointly or separately, or both, shall advise in writing the President Pro Tempore of the Senate and the Speaker of the House of Representatives of their findings and amendments to the adequacy evaluation report.

SECTION 9. Arkansas Code § 19-4-304(b)(1), concerning the submission of the annual revenue forecast to the Legislative Council by the Director of

the Department of Finance and Administration, is amended to read as follows:

(1) By ~~December~~ February 1 of the year ~~preceding~~ of a fiscal session; and