

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

State of Arkansas *As Engrossed: S4/8/21 S4/15/21 H4/22/21*
93rd General Assembly **A Bill**
Regular Session, 2021

SENATE BILL 582

By: Senators K. Hammer, M. Johnson

By: Representatives Ladyman, Barker, Beaty Jr., Beck, Bentley, M. Berry, S. Berry, Boyd, Bragg, Brooks, Brown, Carr, Cavanaugh, Christiansen, Cloud, Coleman, C. Cooper, Cozart, Crawford, Dalby, M. Davis, Eaves, Eubanks, Evans, L. Fite, Gazaway, Gonzales, M. Gray, Haak, Hawks, Hollowell, Lowery, Lundstrum, Maddox, McCollum, McGrew, McNair, S. Meeks, Payton, Penzo, Pilkington, Richmond, Rye, B. Smith, S. Smith, Speaks, Vaught, Warren, Watson, Wing, Wooten

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING COUNTY BOARDS OF ELECTION COMMISSIONERS; TO AMEND HOW COUNTY BOARDS OF ELECTION COMMISSIONERS TAKE THE OATH; TO AMEND ARKANSAS LAW CONCERNING ELECTIONS; TO AMEND THE LAW CONCERNING POLL WORKERS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING COUNTY BOARDS OF ELECTION COMMISSIONERS; TO AMEND HOW COUNTY BOARDS OF ELECTION COMMISSIONERS TAKE THE OATH; AND TO AMEND ARKANSAS LAW CONCERNING ELECTIONS.

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

SECTION 1. Arkansas Code § 7-4-102(b)(2) and (3), concerning the oath and election of members of county boards of election commissioners, are amended to read as follows:

(2)(A) Upon receipt of the notice, the county clerk shall send to each of the county election commissioners, by registered mail, ~~notice to appear before the clerk~~ within thirty (30) days of selection as a county election commissioner, a notice to take and subscribe to the oath prescribed



by the Arkansas Constitution.

(B) A county election commissioner shall take the oath before:

(1) A justice or judge of the:

(i) Supreme Court;

(ii) Court of Appeals;

(iii) Circuit court;

(iv) District court; or

(v) County court;

(2) The county clerk;

(3) The clerk of the circuit court; or

(4) A justice of the peace.

(3) The oath shall be filed in the office of the county clerk and the county clerk shall forward a duplicate ~~forwarded~~ to the Secretary of State.

SECTION 2. Arkansas Code § 7-4-109(e)(1)(C) and (D), concerning the qualifications of state and county commissioners, election officials, poll workers, and certified election monitors, are amended to read as follows:

(C) A poll worker; ~~and~~

(D) A certified election monitor; and

(E) A county election coordinator.

SECTION 3. Arkansas Code § 7-4-109(e)(2), concerning the qualifications of state and county commissioners, election officials, poll workers, and certified election monitors, is amended to read as follows:

(2)(A) The State Board of Election Commissioners shall determine the method and amount of compensation for attending the training.

(B) A person required to receive the training shall take and pass an examination of essential skills as determined by the State Board of Election Commissioners to receive compensation.

(C) A person who passes an examination under subdivision (e)(2)(B) of this section shall receive a certificate of completion.

(D) The State Board of Election Commissioners shall promulgate rules under the Administrative Procedures Act, § 25-15-201 et seq., concerning the training requirements, materials, and examination of

essential skills.

SECTION 4. Arkansas Code § 7-4-109(e), concerning the qualifications of state and county commissioners, election officials, poll workers, and certified election monitors, is amended to add additional subdivisions to read as follows:

(4)(A) A county board of election commissioners by a majority vote shall designate a person to attend the required training as a county election coordinator.

(B) The State Board of Election Commissioners shall not provide training or compensation for attending training to a county election coordinator if the county election coordinator has not been designated to take the required training by a county board of election commissioners.

(5)(A) The State Board of Election Commissioners shall identify at least one (1) person not employed by a county in any capacity each year, who shall receive the same training as a county election coordinator, and who shall receive compensation for attending training.

(B) The person identified by the State Board of Election Commissioners may be a state employee being cross-trained, or a person who is not a state employee that the State Board of Election Commissioners considers qualified to become an acting county election coordinator as a special employee of the State Board of Election Commissioners.

SECTION 5. Arkansas Code § 7-5-202(a)(2), concerning service as an election official, deputy county clerk, or additional deputy, is amended to read as follows:

(2) A person shall not serve as an election official if:

(A) The person is:

(i) Married to or related within the second degree of consanguinity to a candidate running for office in the election;

(ii) The spouse of a member of a county board of election commissioners, except the spouse of a member of a county board of election commissioners may work as a poll worker if no objection is made to his or her service as a poll worker to the county board of election commissioners within ten (10) calendar days after posting the list of officials; or

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

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

/s/K. Hammer