

## **Title 7. Elections**

### **Chapter III. State Board of Election Commissioners**

#### **Subchapter D. Expenses**

#### **Part 72. Nonpartisan Office Filing Fees**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows: "Rules for Nonpartisan Office Filing Fees (Effective February 17, 2002; Revised June 26, 2019)".

#### **Subpart 1. Generally**

##### **7 CAR § 72-101. Scope of rules.**

(a) This part will set forth the procedures for establishing filing fees for nonpartisan offices pursuant to Arkansas Code § 7-10-103.

(b) This part is in addition to, and not a substitute for, the laws of the State of Arkansas.

**Authority.** Arkansas Code § 7-10-103.

##### **7 CAR § 72-102. Definitions.**

For purposes of this part:

(1) "Annual salary" means the salary established by the General Assembly during regular sessions or the Independent Citizens Commission for each office that is in effect on the last day of the fiscal year preceding the fiscal year in which the candidate files for office;

(2) "Filing fee" means the fee paid by a candidate for the offices of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, district judge, and prosecuting attorney to the Secretary of State at the time of filing his or her political practices pledge; and

(3) "Nonpartisan office" means the offices of:

- (A) Justice of the Supreme Court;
- (B) Judge of the Court of Appeals;
- (C) Circuit judge;
- (D) District judge; or
- (E) Prosecuting attorney.

**Authority.** Arkansas Code § 7-10-103.

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules contained a footnote to 7 CAR § 72-102(b) following the phrase "or prosecuting attorney" as follows: "A.C.A. §§ 7-1-101(24)(A); 7-10-102(a)".

**7 CAR § 72-103. Filing as a candidate.**

A candidate for a nonpartisan office may access the ballot by:

- (1) Paying a filing fee;
- (2) Filing a petition; or
- (3) Filing as a write-in candidate in the manner provided under Arkansas Code § 7-10-103.

**Authority.** Arkansas Code § 7-10-103.

**7 CAR § 72-104. Payment of filing fees.**

(a) Candidates for the offices of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, district judge, and prosecuting attorney shall pay the filing fee to the Secretary of State at the same time the candidate files his or her political practices pledge.

(b) These filing fees shall be nonrefundable.

**Authority.** Arkansas Code § 7-10-103.

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules contained a footnote to 7 CAR § 72-104(a) following the phrase "political practices pledge" as follows: "A.C.A. § 7-10-103(b)(2)(A)".

**7 CAR § 72-105. Filing fee period.**

The filing period shall begin at 3:00 p.m. on the first day of the party filing period and shall end at 3:00 p.m. on the last day of the party filing period.

**Authority.** Arkansas Code § 7-10-103.

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules contained a footnote to 7 CAR § 72-105 following the phrase "party filing period" as follows: "A.C.A. § 7-10-103(b)(2)(B)".

**7 CAR § 72-106. Nonpartisan filing fee fund.**

(a) The filing fees collected for the offices of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, and district judge shall be remitted to the Treasurer of State for deposit into the Nonpartisan Filing Fee Fund for covering the cost of election expenses of the State Board of Election Commissioners.

(b)(1) The first one hundred thousand dollars (\$100,000) collected annually from filing fees for the office of prosecuting attorney shall be remitted to the Treasurer of State for deposit into the Trial Court Administrator Fund.

(2) The remaining filing fees collected for the office of prosecuting attorney shall be remitted to the Treasurer of State for deposit in the Nonpartisan Filing Fee Fund.

**Authority.** Arkansas Code § 7-10-103.

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules contained the following footnotes:

A footnote to 7 CAR § 72-106(a) following the phrase "State Board of Election Commissioners" as follows: "A.C.A. § 7-10-103(b)(3)(A)".

A footnote to 7 CAR § 72-104(b)(1) following the phrase "Trial Court Administrator Fund" as follows: "A.C.A. § 7-10-103(b)(3)(B)(ii)".

A footnote to 7 CAR § 72-104(b)(2) following the phrase "Nonpartisan Filing Fee Fund" as follows: "A.C.A. § 7-10-103(b)(3)(B)(i)".

### **7 CAR § 72-107. Filing fees.**

(a) The filing fee for the Chief Justice of the Supreme Court shall be six percent (6%) of the annual salary.

(b) The filing fee for Associate Justice of the Supreme Court shall be six percent (6%) of the annual salary.

(c) The filing fee for Judge of the Court of Appeals shall be five percent (5%) of the annual salary.

(d) The filing fee for circuit judge shall be four percent (4%) of the annual salary.

(e) The filing fee for prosecuting attorney shall be three percent (3%) of the annual salary.

(f) The filing fee for district judge shall be three percent (3%) of the annual salary.

(g) All filing fees calculated under this section shall be rounded up to the next ten dollars (\$10.00).

(h) The filing fees for each office shall be converted into dollar amounts pursuant to this part and published in the "Running for Public Office Handbook" by the State Board of Election Commissioners.

**Authority.** Arkansas Code § 7-10-103.