

Agency # 108.00

**RULES  
FOR  
REIMBURSEMENT OF EXPENSES  
FOR  
STATE-FUNDED ELECTIONS**

(Effective February 6, 2004; Revised [October 5, 2007](#))



**STATE BOARD OF ELECTION COMMISSIONERS**  
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## Scope of Rules

These rules set forth general procedures for distribution of funds from the State to the counties for election expenses related to state-funded elections. These rules are in addition to and not a substitute for the laws of the State of Arkansas.

## § 500 Definitions

~~(a)~~ Candidate — ~~any individual who has knowingly and willingly taken affirmative action, including solicitation of funds, for the purpose of seeking nomination for or election to any public office.~~

~~(b)~~ (a) Canvassing - examining and counting the returns of votes cast at a public election to determine authenticity.<sup>1</sup>

~~(c)~~ Constitutional Officers of this State — ~~the offices of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of State, Treasurer of State, and Commissioner of State Lands.~~

~~(d)~~ (b) County Board of Election Commissioners - the three-member board in each of the 75 counties in this State consisting of local election officials responsible for conducting all elections within ~~its their~~ respective county, ~~and comprised of including one (1) member selected by the county chair of the county committee of the majority party or the person selected by (generally the county committee chair) to serve in his or her place, one (1) member selected by the county chair of the county committee of the minority party or the person selected by (generally the county committee chair) to serve in his or her place,~~ and a third member selected by the county committee of the majority party at the same time as the election of party officers.<sup>2</sup>

~~(e)~~ (c) Election Expenses - for the purpose of these rules, costs incurred by a county for conducting a state-funded election, including ~~election officials~~ poll workers pay, part-time help pay, mileage expenses, election commissioners pay, ~~polling place~~ supply costs, set up and programming costs, ballot printing costs, legal advertising costs, ~~cleaning expenses and facility fees,~~ and certified trainer pay as specified in the reimbursement rules and guidelines established by the State Board of Election Commissioners.

~~(f)~~ (d) Election Official - a person who is a member of the county board of election commissioners or a person who is a poll worker designated by a county board of election commissioners to be an election clerk, election judge, or election sheriff.<sup>3</sup>

~~(g)~~ (e) Electronic Vote Tabulating Device — device used to electronically scan a marked paper ballot for the purposes of tabulation.<sup>4</sup>

<sup>1</sup> A.C.A. § 7-1-101(4)(5), as amended by Acts 659, 959, and 1480 of 2009

<sup>2</sup> A.C.A. § 7-4-102(a)/Act 559 of 2007

<sup>3</sup> A.C.A. § 7-1-101(8)(10), as amended by Acts 659, 959, and 1480 of 2009

~~(h) Majority Party~~ the political party in the State of Arkansas whose candidates were elected to a majority of the constitutional offices of the state in the last preceding general election.

~~(i) Minority Party~~ the political party whose candidates were elected to less than a majority of the constitutional offices of this state in the last preceding general election or the political party which polled the second greatest number of votes for the office of Governor in the last preceding general election, if all of the elected constitutional officers of this state are from a single political party.

~~(j)(f)~~ Nonpartisan Judicial General Election - the regular biennial election held on the same date and at the same time and places as for a preferential primary election for election of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, and district judge.

~~(k)(g)~~ Off-site Early Voting - additional early voting polling sites outside the office of the county clerk's office under the direction and supervision of the county board of election commissioners.

~~(l)~~ Political Party any group of voters which at the last preceding general election polled for its candidate for Governor in the state or nominees for presidential electors at least three (3%) of the entire vote cast for the office.

~~(m)(h)~~ Polling Site - a location selected by the county board of election commissioners where votes are cast.<sup>5</sup>

~~(n)(i)~~ Primary Election - any election held by a political party in the manner provided by law for the purpose of selecting nominees of the political party for certification as candidates for election at any general or special election in this state.<sup>6</sup>

~~(o)(j)~~ Public meeting - any gathering consistent with the definition established under the Arkansas Freedom of Information Act.

~~(p)(k)~~ Special election - any specially scheduled election to fill vacancies or to approve any measure.<sup>7</sup>

~~(q)(l)~~ State-funded elections - ~~presidential preferential primary elections~~, preferential primary elections, general primary elections, special primary elections, nonpartisan judicial general elections, and statewide special elections.

~~(r)(m)~~ Voting machine - a direct recording electronic voting machine that records votes by means of a ballot display provided with mechanical or electro-optical components that may be actuated by the voter, processes the data by means of a computer program, records voting data and ballot images in internal and external memory components, and produces a

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<sup>4</sup> A.C.A. § 7-1-101(9)(11), as amended by Acts 659, 959, and 1480 of 2009

<sup>5</sup> A.C.A. § 7-1-101(18)(22), as amended by Acts 659, 959, and 1480 of 2009

<sup>6</sup> A.C.A. § 7-1-101(20)(24), as amended by Acts 659, 959, and 1480 of 2009

<sup>7</sup> A.C.A. § 7-1-101(14), as amended by Acts 659, 959, and 1480 of 2009

tabulation of the voting data stored in a removable memory component and in a printed copy. ~~“Voting machine” also includes any electronic device for marking a paper ballot to be electronically scanned.~~<sup>8</sup>

~~(s)(n)~~ Voting system – the total combination of mechanical, electromechanical, or electronic equipment, including the software, firmware, and documentation required to program, control, and support the equipment that is used to define ballots, to cast and count votes, to report or display election results, and to maintain and produce any audit trail information. “Voting system” also includes the practices and documentation used to identify system components and versions of components; test the system during its development and maintenance; maintain records of system errors and defects; determine specific system changes to be made to a system after the initial qualification of the system; and make available any materials to the voter, including, ~~but not limited to,~~ without limitation notices, instructions, forms, or paper ballots.<sup>9</sup>

#### **§ 501 ~~Funds~~State Funding of Elections**

The State Board of Election Commissioners, hereinafter referred to as the “State Board,” is statutorily charged with funding political party primary elections from funds appropriated to the State Board for election expenses of the State Board and the county boards of election commissioners, hereinafter referred to as the “county boards,” for conducting ~~presidential preferential primary elections,~~ preferential primary elections, general primary elections, special primary elections, nonpartisan judicial general elections, and statewide special elections.<sup>10</sup>

#### **§ 502 Withholding of ~~Funds~~State Funding**

The State Board may withhold funding for eligible state-funded election expenses from any county that if a county fails to comply with the rules developed by the State Board for the administration of primary elections or fails to comply with applicable state election laws, ~~the State Board may withhold funding to the counties for eligible state-funded election expenses~~ until all requirements are met to the satisfaction of the State Board.<sup>11</sup>

Failure to comply with the rules and guidelines for reimbursement of expenses for state-funded elections ~~expenses~~ established by the State Board, failure to file an ~~“Affidavit~~Statement of Compliance” with the State Board, or failure to deliver certified results of the election to the Secretary of State will result in withholding of ~~reimbursement of funds~~ funding for eligible state-funded election expenses to the county, until all requirements are met to the satisfaction of the State Board.<sup>12</sup>

<sup>8</sup> A.C.A. § 7-1-101(28)/~~Acts 224 and 1020 of 2007~~(33), as amended by Acts 659, 959, and 1480 of 2009

<sup>9</sup> A.C.A. § 7-1-101(29)/~~Acts 224 and 1020 of 2007~~(34), as amended by Acts 659, 959, and 1480 of 2009

<sup>10</sup> A.C.A. §§ 7-4-101(f)(11); 7-7-201(a)

<sup>11</sup> A.C.A. § 7-7-201(b)(3)/~~Act 987 of 2007~~

<sup>12</sup> A.C.A. §§ 7-5-701(c)(1)(B); 7-5-707(e)/~~Act 559 of 2007~~, as amended by Act 959 of 2009

## **§ 503 ~~System of Reimbursement~~ Advance Funding**

### **~~A. Pre election Expense Disbursement for Statewide Special Elections and Preferential Primary Elections~~**

Following each regular legislative session, the State Board will establish an estimated average cost per registered voter by county for conducting statewide special elections and for conducting preferential primary elections based upon databases of comparative state-funded election costs maintained by the State Board.

A county who satisfies the requirements of § 502 and § 503 is eligible to receive funding from the State Board before any statewide special election or preferential primary election upon proper request made to the State Board by the county board..

~~Prior to every state-funded statewide special election and preferential primary election, county boards may request a pre election expense disbursement from the State Board.~~

The request must be in writing under the signature of all three (3) commissioners and received by the State Board at least thirty (30) days prior to the statewide special election or preferential primary election.

Upon ~~staff~~ review and approval by ~~staff~~, the county treasurer will receive funding from the State Board based upon an amount equivalent to one half (1/2) of the county's previously estimated cost per registered voter for conducting the election, or a minimum of two thousand five hundred dollars (\$2,500) for a statewide special election or five thousand dollars (\$5,000) for a preferential primary election, whichever is greater.

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The ~~county treasurer of the~~ respective county will disburse the funds allocated for election expenses and will establish a separate expense code to track and monitor payments made ~~from this appropriation with State funds.~~

### **~~B. Actual Expenses~~ § 504 Funding of Eligible Expenses**

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~~Preceding every~~Before each state-funded election, the State Board will furnish ~~the each~~ county boards with comprehensive guidelines, instructions and worksheets for requesting ~~reimbursement of payment from the State Board for~~ eligible state-funded election expenses.

~~Following every~~After each state-funded election, ~~each a~~ county board must submit to the State Board actual invoices, receipts, and all other required documentation in support of ~~actual eligible~~ election expenses incurred in conducting the state-funded election.

A county who satisfies the requirements of § 502 and § 504 is eligible to receive funding from the State Board after the state-funded election upon proper request made to the State Board by the county board.

~~A county must carefully follow all instructions and submit its request. The request must be in accordance with~~ according to the State Board's rules and guidelines to ~~be eligible for reimbursement of~~ maximize receipt of funding for eligible state-funded election expenses from the State Board.

Upon ~~review by staff and~~ approval by the State Board, each county treasurer will receive ~~reimbursement funding from the state~~ State Board for ~~approved~~ eligible state-funded election expenses as defined by rule. The respective county will disburse the funds allocated for election expenses and will establish a separate expense code to track and monitor payments made ~~from this appropriation~~ with state funds.

#### ~~C. Uniform and Consistent Distribution of Funds~~ **§ 505 Uniform and Consistent Funding**

This system of ~~reimbursement funding~~ by the State Board has resulted in uniform and consistent distribution of funds from the State to the counties and provided information needed for the development of databases of comparative election costs, thus allowing the State to maintain a high level of fiscal accountability.<sup>13</sup>

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#### **§ 504 Allowable 506 Eligible State-Funded Election Expenses**

A county who satisfies the requirements of § 502 and § 504 is eligible to receive funding from the State Board for eligible expenses incurred up to maximum amounts as detailed below.

##### A. ~~Election Officials~~ Poll Workers Pay

~~Election Officials pay~~ Eligible Poll Workers Pay includes ~~payment funding for election officials poll workers~~ working polling sites on a state-funded election day ~~Election Day~~, ~~payment funding for election officials poll workers~~ working off-site early voting polling sites, and ~~payment funding for poll workers to election officials for attending who attend training as specified under separate rule~~ State Board Rules.

A county is eligible to receive a maximum \$100 per poll worker who ~~Election officials working works a full day~~ at a polling sites from opening until closing on election day ~~in of a state-funded elections~~.<sup>14</sup>

A county is eligible to receive a maximum \$50 per poll worker who ~~will be paid a flat rate of \$90.00. Election officials working works~~ a split shift (1/2 half day) at a polling sites on election day ~~in of a state-funded elections will be paid a flat rate of \$45.00.~~

A county is eligible to receive the current federal or state minimum wage, whichever is greater at the time of the state-funded election, for the actual number of hours worked by a poll worker who works at an ~~Election officials working~~ off-site early voting polling sites

<sup>13</sup> A.C.A. § 7-4-101(f)(5)

<sup>14</sup> A.C.A. § 7-4-112(a)

outside of the county clerks' offices, under the direction and supervision of the county board will be paid at the current federal or state minimum wage per hour, whichever is greater at the time of the election, for the number of hours worked in state-funded elections.<sup>15</sup>

~~A county is eligible to receive a maximum \$25 additional one-time payment per poll worker Election officials who attended attends training conducted by a State Board-certified trainer immediately prior to the preferential primary election in which they worked will also be paid a maximum one-time additional \$25 payment for their time in having attended training, regardless of whether working both off-site early voting polling sites and the polls on election day. County Boards must attest to those trained election officials eligible for the additional \$25 reimbursement and who works the preferential primary election immediately following the training (see the State Board's "Rules for Election Officials (Poll Workers) Training").~~<sup>16</sup>

~~Please refer to the "Rules for Election Officials (Poll Workers) Training" (Effective March 17, 2002, Revised October 5, 2007).~~

~~A county is eligible to receive funding The State Board will reimburse for a maximum of six (6) eligible election officials poll workers per precinct per polling site per state-funded election in order to assure against an excessive number of election officials per poll. For those counties that combine multiple polling sites within a single facility, i.e., such as an auditorium, etc., each separate location within the single facility where voters identify themselves to election officials poll workers for the purpose of casting a ballot would constitute a polling site.~~

#### B. Part-Time Help Pay

Part-Time Help Pay includes funding for one (1) extra deputy to the county clerk for the purpose of carrying out the requirements of absentee and early voting, funding for personnel designated by the county boards to deliver ballots and election supplies to each set of election officials in each precinct materials to poll workers for each polling site, election officials funding for poll workers designated to return ballots, election materials, and returns to the county boards following after the closing of the polls, election officials funding for election clerks processing absentee ballots on election day, and funding for election officials designated to tabulate the vote.

~~A county is eligible to receive funding for eligible part-time help Part time help will be paid at the current federal or state minimum wage per hour, whichever is greater at the time of the state-funded election, for the actual number of hours worked during state-funded elections.~~

~~A county is eligible to receive funding for an The extra deputy to the county clerk will be paid at the current federal or state minimum wage per hour, whichever is greater at the time of the state-funded election, for the actual number of hours worked per day up to the~~

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<sup>15</sup> A.C.A. § 7-4-112(a)

<sup>16</sup> A. C. A. § 7-4-109(e)



maximum number of hours per day allowable by law, for a period not to exceed thirty-five (35) days during per state-funded elections.<sup>17</sup>

#### C. Mileage Expenses

Eligible Mileage Expenses include funding for the mileage of ~~For state-funded elections, the State Board will reimburse~~ personnel designated by the county boards to deliver ballots and election supplies, materials ~~to each set of election officials in~~ poll workers ~~for each precinct polling site~~ and funding for poll workers ~~election officials~~ designated by the county board to return ~~ballots, election materials, and returns~~ to the county boards following after the closing of the polls ~~for mileage expenses~~ at the same mileage rate prescribed for state employees in state travel regulations.<sup>18</sup>

#### D. Election Commissioners Pay

A county is eligible to receive funding for election commissioners pay at ~~The chairs of the county's boards will be reimbursed~~ \$100 per public meeting attended ~~and the remaining two (2) members will be reimbursed \$75 per public meeting~~ when official business is conducted, up to a maximum of ten (10) public meetings per commissioner per state-funded election.<sup>19</sup>

Public meetings as defined under the Arkansas Freedom of Information Act include drawing of ballot position, certification of ballots, selection or alteration of location or boundaries of precincts or polling sites, designation of ~~election officials~~ poll workers, correction of errors or omissions of ballots, canvassing and certification of election results, canvassing and certification of ~~election results due to~~ a recount ~~petition~~, and election day.

#### E. ~~Polling Place~~ Supply Costs

Eligible Supply Costs include funding ~~The State Board will reimburse~~ for disposable ~~supply costs directly related to the cost of conducting the state-funded election, including items~~ supplies such as pens, pencils, pads, tape, magnifying sheets/glasses, spools of string for marking electioneering areas, ballot marking instruments/devices, envelopes, ballot boxes, ~~ballot box~~ seals, stub boxes, election kits, paper, ~~and~~ postage for mailing absentee application requests and ballots and for official notice to ~~election officials~~ poll workers and polling sites. ~~The State Board will also reimburse for~~ RTAL paper for voting machines, and thermal printer paper for communication packs and scanners.

A county should only claim quantities applicable to the specific state-funded election for which seeking funding.

#### F. Programming Costs

<sup>17</sup> A.C.A. §§ ~~7-4-112(a); 7-5-415/Act 556 of 2007~~

<sup>18</sup> A.C.A. § 7-4-112(b)

<sup>19</sup> A.C.A. § 7-4-111(b)

Eligible Programming Costs include funding ~~The State Board will pay~~ for programming and testing of voting machines and electronic vote tabulating devices for state-funded elections, ~~including labor for preparation of machines;~~ and funding for labor, mileage, and truck rental, if necessary, for transportation of voting machines and precinct tabulating devices to and from polling sites.<sup>20</sup>

A county is eligible to receive a maximum \$25 per hour for testing voting machines and electronic vote tabulating devices.

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A county is eligible to receive a maximum \$1,080 per state-funded election for contracted technical support.<sup>21</sup>

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A county is eligible to receive the current federal or state minimum wage, whichever is greater at the time of the state-funded election, for the actual number of hours worked by personnel designated by the county board to transport voting machines and electronic vote tabulating devices to and from the polling sites, plus truck rental fees or mileage expenses at the same mileage rate prescribed for state employees in state travel regulations.

#### G. Ballot Printing Costs

Eligible Ballot Printing Costs include funding ~~For state-funded elections, the State Board will reimburse~~ for the cost of ballot stock and printing of ballots up to the maximum allowed by law and State Board rule.

~~For counties~~ A county using paper ballots counted by hand or by electronic vote tabulating devices (whether centrally located or at each polling site) in combination with one (1) voting machine per poll accessible to voters with disabilities, ~~the State Board will reimburse for~~ is eligible to receive funding for printing a number of ballots equivalent to one and one half (1.5) times the number of electors voting on paper ballots at the last preceding comparable election, up to a maximum of one hundred five percent (105%) of the total number of registered voters.<sup>22</sup>

~~For counties~~ A county using all voting machines, ~~the State Board will reimburse ballot~~ is eligible to receive funding for printing ~~costs up to~~ a number of ballots equivalent to one and one half (1.5) times the number of electors voting on paper ballots at the last preceding comparable election, up to a maximum of one half of the total number of electors voting at the last preceding comparable election ~~to a maximum of twenty percent (20%) of registered voters.~~

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Regardless of the type of voting system in use, the State Board will reimburse ballot a county is eligible to receive funding for printing ~~costs up to~~ a number of separate judicial/special election ballots for the nonpartisan judicial general election and any special election that is held on the same dates, times, and places as the preferential primary election equivalent to

<sup>20</sup> A.C.A. §§ 7-5-301(g), (m)(2); 7-5-515(a), (b); 7-5-611(a)(1)

<sup>21</sup> A.C.A. § 7-5-301(g)

<sup>22</sup> A.C.A. § 7-5-210(a)/Act 1020 of 2007/7-5-602(a)(1), as amended by Act 1480 of 2009

one and one half (1.5) times the number of electors voting a separate judicial/special election paper ballot at the last preceding comparable election to a maximum of ten percent (10%) of registered voters for the printing of separate "judicial only" ballots for the nonpartisan judicial general election held on the same dates, times, and places as the preferential primary election.<sup>23</sup>

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If a special election is also held on the date of the preferential primary election, the State Board will reimburse ballot printing costs up to a maximum of ten percent (10%) of registered voters for the printing of "judicial/special" ballots.

When a special election is held on the date of the presidential preferential primary election or general primary election, separate ballots containing the names of the candidates to be voted upon at the special election and any other measures or questions that may be presented for a vote shall be prepared and provided to voters requesting a separate ballot. Regardless of the type of voting system used in these elections, the State Board will reimburse ballot printing costs for the printing of separate "special election only" ballots up to a maximum of ten percent (10%) of registered voters.

No voter is required to vote in a political party's primary to be able to vote in a nonpartisan judicial or special election.<sup>24</sup>

For each preferential primary election, ~~the a~~ county boards must provide a special absentee ballot marked "special runoff ballot" ~~for active duty military personnel and citizens temporarily residing outside the territorial limits of the United States~~ to be sent by the county clerk along with the absentee ballot for the preferential primary election to members of the uniformed services of the United States while in active duty or service and citizens residing or temporarily outside the territorial limits of the United States and the District of Columbia.<sup>25</sup>

~~The State Board will reimburse ballot printing costs for the printing of~~ A county is eligible to receive funding for printing a number of "special runoff ballots" based upon equivalent to a maximum of one and one half (1.5) times the total number of overseas absentee ballot requests received at the last preceding comparable election, ~~up to a maximum of ten percent (10%) of or one and one half (1.5) times the total number of overseas absentee voters voting at the last preceding comparable election, whichever is greater.~~

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#### H. Legal Advertising Costs

Eligible Legal Advertising Costs include funding for ~~The State Board will reimburse for the cost of~~ two (2) publications of the public notice of the date of the election, the hours of voting on election day, the places and times for early voting, polling sites for holding the

<sup>23</sup> A.C.A. §§ 7-10-102(b)(2)/Act 1020 of 2007; 7-11-105(d)(3), as amended by Act 1480 of 2009; 7-11-106(b), as amended by Act 1480 of 2009; 7-11-205(a)(3), as amended by Act 1480 of 2009

<sup>24</sup> A.C.A. §§ 7-5-403(a)(3)(B)(iv)/Act 1049 of 2007/7-11-105(d)(4)(A), as amended by Act 1480 of 2009; 7-11-205(a)(4), as amended by Act 1480 of 2009

<sup>25</sup> A.C.A. § 7-5-406(a),(c)/Acts 261 and 556 of 2007, as amended by Acts 250, 659, and 703 of 2009

elections, the candidates and offices to be elected, and the time and location of the opening, processing, canvassing, and counting of ballots; funding for one (1) publication of the notice of the time and place the voting machines will be prepared, and funding for one (1) publication of the time and place of testing of voting machines and electronic vote tabulating devices; and one publication of the time and place of the public meeting to determine the order in which presidential candidates will appear on the ballot in the presidential preferential primary.<sup>26</sup>

A county must provide a copy of the proof of publication to be eligible to receive payment for eligible advertising costs.

#### I. Facility Fees

Eligible Facility Fees include fees charged to a county. The State Board will reimburse \$40.00 per by a facility to offset the cost of using the facility as an election day or off-site early voting polling site in for a state-funded election.

A county is eligible to receive a maximum of \$40 per each facility that requests payment from the county for its use as an election day polling site.

A county is eligible to receive \$20 per day per each facility that requests payment from the county for its use as an off-site early voting polling site, up to a maximum of \$3,000 per county per state-funded election.

A county must provide the State Board with a copy of each facility's invoice to be eligible to receive funding from the State Board.

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#### **§ 505 Unallowable and Disallowed 507 Ineligible State-Funded Election Expenses**

##### A. Election Officials Poll Workers Pay

The State Board will not ~~reimburse~~ provide funding for a volunteer election pages,<sup>27</sup> a county election commissioners, a county election coordinators, ~~and or a secretaries/assistants~~ secretary or assistant to a county boards for serving as ~~election officials~~ a poll worker at the polling sites on election day ~~for state funded elections.~~

##### B. Part-Time Help Pay

The State Board will not ~~pay the cost of~~ provide funding for a full-time or part-time election coordinator or ~~the cost of for a~~ full-time or part-time ~~secretaries/assistants~~ secretary or assistant to a county boards.

<sup>26</sup> A.C.A. §§ 7-5-202(a), (b)/~~Acts 222 and 556 of 2007~~; 7-5-416(a), as amended by Act 959 of 2009; 7-5-515(c)(2); 7-5-611(a)(3); ~~7-8-201(a)(3)(D)/Act 987 of 2007~~; 7-11-103(b), as amended by Act 1480 of 2009; 7-11-104(b), as amended by Act 1480 of 2009

<sup>27</sup> A.C.A. § 7-4-116(c)(3)

~~The State Board will not provide funding for additional Additional~~ deputies ~~to the county clerk~~ for absentee and early voting beyond the one (1) ~~eligible~~ extra deputy,<sup>28</sup> ~~for a county election coordinators, for a secretary or assistant secretaries to a county boards, and or for~~ personnel on the county payroll ~~are ineligible for reimbursement by the State for serving~~ as part-time help.

C. Mileage Expenses

The State Board will not ~~pay provide funding for mileage expenses incurred by a~~ county commissioners' ~~mileage to attend for travel to and from~~ public meetings ~~or for a poll worker's travel to and from the polling site, except as provided by law for delivery of election materials and voting equipment.~~

D. Election Commissioners Pay

~~The county board shall not receive compensation for election duties after a state-funded election until election results have been certified and delivered to the Secretary of State. The State Board will not compensate a county election commissioner for election-related duties, except as provided by law for public meetings.~~

E. ~~Polling Place~~ Supply Costs

The State Board will not ~~pay provide funding~~ for capital or leasehold improvements to polling sites.

The State Board will not ~~pay provide funding for administrative expenses associated with conducting a state-funded election, including~~ non-expendable equipment and supplies such as voting booths, electric pencil sharpeners, thermal binding machines, pagers, outlet strips, extension cords, adapters, phone cords, and expensive metal signage.

The State Board will not ~~pay provide funding~~ for expendable supplies such as copier toner, printer toner cartridges, printer ribbons, diskettes, hanging file folders, manila file folders, binders, and flags.

The State Board will not ~~pay provide funding~~ for the cost of binding voter books, for reproduction of ~~poll worker election official~~ training material, for phone lines, phone services or internet services, for portable toilet rental, ~~for furniture rentals,~~ for return postage, or for food.

F. Programming Costs

The State Board will not ~~reimburse for costs associated with~~ ~~provide funding for~~ the purchase of new or used voting systems or for leasing, rental, maintenance, or depreciation of voting systems.

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<sup>28</sup> A.C.A. § 7-5-415

#### G. Ballot Printing Costs

The State Board will not ~~reimburse~~ provide funding for ~~the cost of ballot~~ printing reruns due to county or vendor error.

The ~~State Board will not provide funding county and/or vendor will be financially responsible for any~~ overages in ordering and printing ballots. ~~All exceptions must be, except~~ by prior written request to the State Board with prior written approval by the State Board.

The county and/or the vendor will be financially responsible for excessive printing of paper ballots.

#### H. Legal Advertising Costs

The State Board will not ~~reimburse~~ provide funding for advertising the list of appointed election officials,<sup>29</sup> for advertising for the purpose of notifying candidates of preparation of machines, advertising for ~~poll worker election officials~~ training, advertising in excess of that required by law as defined previously, re-advertising due to county error, or for any costs related to radio or television broadcasting or colored advertising.

#### I. Facility Fees

The State Board will not ~~reimburse~~ provide funding for reimbursing individuals ~~hired for cleaning to clean~~ facilities used as polling sites.

#### J. Other

The State Board will not provide funding for any penalties assessed to a county by any vendor, such as a surcharge assessed to a county by a vendor for missing deadlines established by the vendor.

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The State Board will not consider requests for advance funding ~~pre election disbursement requests~~ for state-funded ~~presidential preferential primary elections~~, general primary (run-off) elections, or special primary elections.

The State Board will review all shipping and handling fees in excess of \$500 for consideration of payment on a case-by-case basis.

Unallowable expenses incurred by the county, as determined by the State Board, must be paid from county funds. Political parties may not pay for additional election expenses.

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~~If the county chooses to pay above the rates of pay prescribed by the State Board, then county funds must be used to pay the difference.~~

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<sup>29</sup> A.C.A. §§ 7-5-202(b)(2); 7-5-516(a)

County funds must be used for funding any election-related expenses incurred by the county in conducting a state-funded election that fall outside the scope of funding by the State Board as defined by rule.

A county may appeal to the State Board for reconsideration of any otherwise eligible expense that is ~~Allowable expenses that were~~ disqualified by the State Board for exceeding maximums established by ~~the~~ State Board's rules and guidelines, ~~as determined by the State Board~~, may be appealed to the State Board for reconsideration.

If ~~In cases where~~ a court ~~determines that an election must be conducted again~~ orders a new election as a result of a contested election, the State Board ~~shall~~ will consider ~~the criteria for funding~~ ~~, on a case by case basis, the criteria for paying~~ the expenses of the new ~~court-ordered~~ election, ~~on a case-by-case basis~~.