

**PROPOSED RULES
FOR
APPOINTMENT OF
CERTIFIED ELECTION MONITORS**



**STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, AR 72201
(501) 682-1834 or (800) 411-6996
www.arkansas.gov/sbec**

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Scope of Rules

Pursuant to Arkansas Code Annotated § 7-4-101, the State Board of Election Commissioners (State Board) has the duty to appoint at least one certified election monitor from each congressional district and the authority to appoint a monitor to any county upon a signed, written request under oath filed with the State Board and a determination by the State Board that appointing a monitor is necessary. Certified election monitors serve as observers and report to the State Board on the conduct of the election. The State Board may allow for reasonable compensation of certified election monitors assigned to a county by the State Board.¹

These rules set forth the procedures for appointing, certifying and compensating certified election monitors, and set out the duties of monitors. These rules are in addition to and not a substitute for the laws of the state of Arkansas.

§ 1001 Requests for Monitors

Any person alleging a violation of any election law under the investigative jurisdiction of the State Board may request appointment of a certified election monitor.

The request for appointment of a certified election monitor must be in writing and signed under oath by the requestor (see Attachment “A” for a sample format of a request for appointment of a certified election monitor).

The request must clearly state the specific alleged election irregularities or illegalities, when and where the alleged activity occurred, and provide any supporting facts surrounding the allegations.

All requests for monitors received within seven (7) calendar days of the beginning date for early voting or election day, will be processed only if exceptional circumstances are shown that prevented an earlier filing of the request with the State Board.

§ 1002 Processing Requests for Monitors

Upon receipt by the State Board of a request for appointment of a certified election monitor, the Director shall determine if the request meets all requirements as set forth in § 1001.

If the request does not meet all requirements set forth in § 1001, the Requestor will be advised of such in writing.

If the Director determines that the request meets all requirements set forth in § 1001, the request for appointment of a certified election monitor will be fulfilled based upon the availability of certified election monitors and upon approval by the State Board.

¹ A.C.A. § 7-4-101(f)(6) as amended by Act 1456 of 2013

§ 1003 Qualifications of Election Monitors

Election monitors certified and appointed by the State Board shall be qualified electors of this state, able to read and write the English language, and shall not have been found guilty or pled guilty or nolo contendere to the violation of any election law of this state. No election monitor shall be a paid employee of any political party, a paid employee of any person running for any office, married to or related within the second degree of consanguinity to any candidate running for office in the current election, related by marriage to any candidate running for office in the current election or a candidate for any office to be filled at any election while serving as a monitor.

However, the Director may waive the qualifications that an election monitor may not be married to or related within the second degree of consanguinity to any candidate running for office in the current election, or related by marriage to any candidate running for office in the current election if the Director makes a determination in writing that the disqualifying person is not on the ballot in the county to be monitored and that there are no other factors relating to the relationship that would affect the election monitor's ability to fairly and accurately observe and report on the election in an impartial manner.

§ 1004 Certification of Election Monitors

No person may serve as an election monitor without prior training, approval, and certification by the State Board. The executed "Authorization to Serve as a Certified Election Monitor for the State Board of Election Commissioners" form (Attachment "B") must be presented to the chief election official at the polling or counting location and shall serve as confirmation of certification by the State Board.

The Director shall determine the dates and times of training and the types of training that election monitors must complete.

§ 1005 Duties of Election Monitors

Certified election monitors shall:

- Maintain strict impartiality in the conduct of duties and at no time express any bias or preference in relation to parties, candidates, or any issues in the election process,
- Undertake duties in an unobtrusive manner and not interfere with the election process, polling day procedures, or the vote count,
- Carry documentation prescribed and issued by the Director and present documentation to any election official or law enforcement officer upon request,
- Not display or wear any partisan symbols, colors, or banners,
- Base all observations on well documented, factual, and verifiable evidence,
- Refrain from making any comments about observations to the media or any other interested persons and limit all remarks to general information about the nature of the activity as an observer, and
- Prepare a post-election report for submission to the State Board in a form prescribed by the Director.

§1006 Compensation and Expense Reimbursement

Each certified election monitor shall receive for the services listed herein under “Duties of Election Monitors” the sum of not more than one hundred dollars (\$100.00) per day, plus travel reimbursement at the rate prescribed for state employees in state travel regulations. No other compensation may be paid.

Reimbursement for mileage meals and/or overnight lodging may be paid only with advance approval of the director and in accordance with rules for reimbursement for state employees promulgated by the Department of Finance and Administration.

**REQUEST
FOR APPOINTMENT OF A
CERTIFIED ELECTION MONITOR**

STATE OF ARKANSAS

COUNTY OF _____

I, _____, the undersigned, hereby request that a monitor be sent to observe the administration of the election to be held on the _____ day of _____ in _____ County, Arkansas for the following reasons (attach additional sheets if needed and enclose any supporting documentation or relevant evidence):

DECLARATION

I, _____, hereby declare under penalty of perjury this _____ day of _____ that the foregoing statements, comments, and information contained herein are true and correct to the best of my knowledge.

Signature of Requestor: _____

Home Address: _____ Day Phone: _____
(Street, City, State, Zip)

Remit to: State Board of Election Commissioners
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834 (800) 411-6996

Attachment "B"

**AUTHORIZATION TO SERVE AS A
CERTIFIED ELECTION MONITOR FOR
THE STATE BOARD OF ELECTION COMMISSIONERS**

This is to certify that _____ is a certified election
monitor representing the State Board of Election Commissioners pursuant to Arkansas Code
Annotated § 7-4-101 in the _____ Election held
_____, 2___ for the purpose of serving as an observer and reporting to the State Board
on the conduct of the election at the _____
polling/counting location in _____
County, Arkansas.

Signature of the Director
State Board of Election Commissioners

Date

I have been provided, read, and agree to comply with the State Board of Election
Commissioners' Rules for Appointment of Certified Election Monitors.

Signature of Certified Election Monitor

Date

Authorized by: State Board of Election Commissioners
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834 (800) 411-6996