

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

John Thurston

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐ Emergency (ACA 25-15-204) Legal Notice Published _____

☐ 10 Days After Filing (ACA 25-15-204) Final Date for Public Comment _____

☐ Other _____ Reviewed by Legislative Council _____
(Must be more than 10 days after filing date.)

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

Phone Number

E-mail Address

Title

Date

RULES FOR COUNTY ELECTION COMMISSIONERS TRAINING

(Effective December 1, 2005; Revised: September 11, 2020)



**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

These rules will set forth the procedures for training members of the county boards of election commissioners in the 75 counties in the State. These rules are in addition to, and not a substitute for, the laws of the State of Arkansas.

§700 Definitions

- (a) County Board of Election Commissioners - the three-member board in each of the 75 counties in this State responsible for conducting all elections within their respective county, including two members elected by the county committee of the majority party and one member elected by the county committee of the minority party or persons appointed by the state chair of either the majority or minority party to fill a vacancy in that party's position.¹
- (b) Candidate – for the purpose of these rules, 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.²
- (c) Election Official - a person who is a member of the county board of election commissioners, a person who performs election coordinator duties, 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, or a deputy county clerk or a person assigned by a county clerk to conduct early voting.³
- (d) Primary Election - any election held to select the nominees of a political party for election at any general or special election in this state.⁴

§701 Qualifications of a Member of the County Board of Election Commissioners

The qualifications⁵ of a member of the county board of election commissioners as determined by the General Assembly⁶ are as follows:

- 1) Must be a qualified elector of this state;
- 2) Must be able to read and write the English language;
- 3) Must be a resident of the county in which he or she serves at the time of his or her appointment or election;
- 4) Must not have been found guilty or pled guilty or nolo contendere to the violation of any election law of this state;
- 5) Must not be a paid employee of any political party;

¹ A.C.A. § 7-4-102(a)

² A.C.A. § 7-6-201(2)

³ A.C.A. § 7-1-101 as amended by Act 1042 of 2015

⁴ A.C.A. § 7-1-101

⁵ A.C.A. § 7-4-109 as amended by Act 1253 of 2015

⁶ Art 3, § 10 of the Arkansas Constitution, as amended by Amendment 85

- 6) Must not be a paid employee of any person running for any office on the county's ballot;
- 7) Must not participate in the campaign of any candidate listed on a ballot or of a write-in candidate seeking election in that county that falls under their jurisdiction or authority;
- 8) Must not manage a campaign;
- 9) Must not perform labor for a campaign;
- 10) Must not solicit on behalf of a candidate or campaign;
- 11) Must not pass out handbills, signs, or other literature concerning a candidate's campaign;
- 12) Must not assist a candidate's campaign at a rally or parade;
- 13) Must not display candidate placards or signs on an automobile;
- 14) Must not be employed with a company that has any business dealings, contracts, or pending contracts with the county board of election commissioners at the time of his or her appointment to the county board;
- 15) Must not be a candidate for any office to be filled at an election while serving on the county board, except for appearing on the ballot as a candidate for a position in his or her political party;
- 16) Must not be a chairman or secretary of a county political party;
- 17) Must not be married to or related within the second degree of consanguinity to any candidate running for office in the current election if objection to the service is made to the county board of election commissioners within ten (10) calendar days after the posting of the list of officials; and
- 18) Must not be the spouse of a chairman of a county political party or the spouse of another county board of election commissioner if objection to the service is made to the county board of election commissioners within ten (10) calendar days after the posting of the list of officials.

If an objection filed against married members of the county election commission the objection can only be filed against one of the two married individuals.

A member of the county board may make a financial contribution to a candidate, attend a political party's state, district, or county meeting where a candidate or issue advocate speaks as a member of the audience, or participate in a political party convention.⁷

§702 Required Training

Each member of the county boards of election commissioners shall attend either a comprehensive training program conducted by the State Board of Election Commissioners before the regularly scheduled preferential primary election or an advanced training program conducted by the State Board of Election Commissioners.

Advanced training will be made available if the Director of the State Board determines that, based on the amount of changes in law and procedure from the previous election cycle, an advanced training program is appropriate for experienced county commissioners. Advanced trainings are to only be utilized for commissioners who are unable to attend the comprehensive training and may be conducted remotely. Advanced trainings may not necessarily include a detailed review of

⁷ A.C.A. § 7-4-109(c)(2)(B)(ii) as amended by Act 1253 of 2015

all basic laws and procedures which are unchanged from the previous two election cycles but will address all aspects of the duties of an election commissioner.⁸

Any member of a county board of election commissioners who has not served on the commission during the previous two (2) preferential primary and general elections and previously attended the comprehensive training program conducted by the State Board of Election Commissioners must attend the comprehensive training program.

A member of a county board of election commissioners shall attend additional interim training if deemed necessary and appropriate by the State Board.

§703 Compensation

Upon completion of training conducted by the State Board of Election Commissioners, each county election commissioner attending the training is eligible to receive mileage reimbursement at the rate established for state employees by state travel regulations⁹

Any election commissioner who is trained under this section and who remains in office until the certification of the preferential primary election results shall be eligible to receive \$100 in compensation for attending training.

All compensation and reimbursement paid under this section shall be paid to the County Treasurer upon receipt from the county of the reporting form approved and provided by the State Board to the county for that purpose.

Attendance by county election coordinators is optional, and compensation for attending training will not be provided by the State Board.

§704 Noncompliance

The State Board may withhold funding for county election commissioner training attendance from any county that fails to comply with the rules and guidelines developed by the State Board for the administration of election commissioner training, until all requirements are met to the satisfaction of the State Board.¹⁰

§705 Training Materials

The State Board of Election Commissioners will provide training materials to each county election commissioner attending training.

⁸ A.C.A. § 7-4-109(e)(1)

⁹ A.C.A. § 7-4-109(e)(2)

¹⁰ A.C.A. § 7-7-201(b)(3)

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For Office

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Effective Date _____ Code Number _____

Name of Agency State Board of Election Commissioners

Department _____

Contact Chris Madison E-mail chris.madison@arkansas.gov Phone 501-682-1447

Statutory Authority for Promulgating Rules ACA 7-10-101(f)(3) and (f)(11)

Rule Title: Rules for County Election Commissioners Training

Intended Effective Date

(Check One)

☐

Emergency (ACA 25-15-204)

☒

10 Days After Filing (ACA 25-15-204)

☐

Other _____
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Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

04/17/2020

05/18/2020

07/22/2020

08/19/2019

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Chris Madison

Chris.madison@arkansas.gov

09/01/2020

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

501-682-1447

chris.madison@arkansas.gov

Phone Number

E-mail Address

Legal Counsel - State Board of Election Commissioners

Title

09/01/2020

Date

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