

7-4-109. Qualifications of state and county commissioners, election officials, poll workers, and certified election monitors.

(a)

(1) A member of the State Board of Election Commissioners, a county election commissioner, and an election official shall be a qualified elector of this state, able to read and write the English language, and shall not have been found guilty or pleaded guilty or nolo contendere to the violation of an election law of this state.

(2) An election official, as defined in § 7-1-101, shall not be a candidate for an office to be filled at an election while serving as an election official.

(3) A member of the county board of election commissioners shall not be disqualified from serving as a member of the county board of election commissioners by the appearance on the ballot as a candidate for a position in his or her political party.

(4) A person shall be eligible to serve as an election official if the person is married to or related within the second degree of consanguinity to a candidate running for office in the election who is unopposed and the person is appointed to serve as an election official at a polling place or vote center designated to serve a geographic area with a population of less than one thousand (1,000) qualified electors.

(b)

(1) A member of a county board of election commissioners shall be a resident of the county in which he or she serves at the time of his or her appointment or election.

(2)

(A) An election official shall be a resident of the precinct in which he or she serves at the time of his or her appointment.

(B) However, if at the time of posting election officials the county board of election commissioners votes unanimously and certifies to the county clerk that it is impossible to obtain a qualified election official from any precinct in the county, another qualified citizen of the county may be designated to serve in the precinct.

(C) An election coordinator, deputy clerk, or person assigned by a county clerk to conduct early voting does not have to be a resident of the precinct or county in which he or she serves.

(c)

(1) A person who is a paid employee of a political party or of a candidate for office on that county's ballot shall not be a member of a county board of election commissioners or an election official.

(2)

(A) Except as provided in subdivision (c)(2)(B) of this section, a person serving on the county board of election commissioners shall 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 the county board of election commissioners' jurisdiction or authority.

(B)

(i) A member of the county board of election commissioners shall not:

(a) Manage a campaign;

(b) Perform labor for a campaign;

(c) Solicit on behalf of a candidate or campaign;

(d) Pass out or place handbills, signs, or other literature concerning a candidate's campaign;

(e) Assist a candidate's campaign at a rally or parade; or

(f) Display candidate placards or signs on an automobile.

(ii) A member of the county board of election commissioners may:

(a) Make a financial contribution to a candidate;

(b) Attend a political party's state, district, or county meeting where a candidate or issue advocate speaks as a member of the audience; or

(c) Participate in a political party convention.

(3) A person employed with a company that has a business dealing, contract, or pending contract with a county board of election commissioners to which he or she seeks appointment shall not be a candidate for the county board of election commissioners.

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

(1) The person is married to or related within the second degree of consanguinity to a candidate running for office in the election; and

(2) 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.

(e)

(1) Prior to the regularly scheduled preferential primary election, each of the following shall attend election training coordinated by the State Board of Election Commissioners:

(A) A member of the county board of election commissioners;

(B) A county clerk or his or her designee;

(C) A poll worker;

(D) A certified election monitor; and

(E) A county election coordinator.

(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 Arkansas Administrative Procedure Act, § 25-15-201 et seq., concerning the training requirements, materials, and examination of essential skills.

(3) A deputy county clerk, employee of the county clerk, or other worker who will assist with early voting may be trained by the county clerk or his or her designee.

(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.

History

Acts 1969, No. 465, Art. 5, § 4, and Art. 13, § 5; 1971, No. 451, § 2; 1972 (1st Ex. Sess.), No. 41, § 2; A.S.A. 1947, §§ 3-504, 3-1305; Acts 1987, No. 248, § 5; 1993, No. 715, §§ 1, 2; 1997, No. 647, § 7; 2001, No. 796, § 1; 2001, No. 1822, § 1; 2005, No. 894, § 1; 2005, No. 1827, § 3; 2007, No. 489, § 2; 2013, No. 1457, § 2; 2015, No. 1042, § 4; 2015, No. 1253, § 1; 2021, No. 1051, §§ 24; 2021, No. 1063, § 2.

Arkansas Code of 1987 Annotated Official Edition

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