

DRAFT – NEW RULE

Agency #108.00

**RULES
FOR
COUNTY ELECTION COORDINATOR
TRAINING**

(Effective TBD)



State Board of Election Commissioners
501 Woodlane, Suite 122 South
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 the county election coordinators 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.

§1301 Definitions

- (a) 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.¹
- (b) 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.²
- (c) Election Coordinator – the person appointed by majority vote of the county election commission to receive election coordinator training under this rule and to whom tasks can be delegated or assigned by the county election commissioners.
- (d)(1) 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.
 - (2) Election Official - includes a person who serves as:
 - (A) A member of the county board of election commissioners;
 - (B) A person who is appointed by the county board of election commissioners to serve as:
 - (i) an election coordinator;
 - (ii) a person appointed to perform tasks related to the election which require the handling of ballots or other election materials or equipment;
 - (iii) an election clerk;
 - (iv) an election judge;
 - (v) an election sheriff; or
 - (vi) an absentee ballot clerk; or

¹ A.C.A. § 7-6-201(2)

² A.C.A. § 7-4-102(a)

(C) A person assigned by a county clerk to conduct early voting administered by the county clerk.

§1302 Eligibility of an Election Coordinator

- (a) An election coordinator is defined by state law as an election official.³
- (b) The General Assembly has defined the minimum standards for eligibility to serve as an election official as follows:
- (1) Must be a qualified elector of this state;
 - (2) Must be able to read and write the English language;
 - (3) Must not have been found guilty or pled guilty or nolo contendere to the violation of any criminal election law of this state;
 - (4) Must not be a paid employee of any political party;
 - (5) Must not be a paid employee of any person running for any office on the county's ballot;
 - (6) 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;⁴
 - (7) 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 within seven (7) calendar days after the posting of the list of officials for a particular election; and
 - (8) Must not be the spouse of a chairman of a county political party or the spouse of a member of the county board of election commissioner if objection to the service is made within ten (10) calendar days after the posting of the list of officials.⁵
- (c) The county board of election commissioners may choose any person meeting these qualifcators and who is willing to serve in this role including but not limited to:
- (1) An employee of the county;
 - (2) A member of the county board of election commissioners;
 - (3) A county clerk;
 - (4) A deputy clerk or employee of the county clerk; or
 - (5) Another eligible person willing to serve as an election coordinator.
- (d)
- (1) In the event that the person considered for appointment as an election coordinator is an employee hired and supervised by an elected county official, the elected county official shall agree that the county board of election commission shall be the sole entity

³ A.C.A. § 7-1-101(11)

⁴ A.C.A. § 7-4-109

⁵ A.C.A. § 7-5-202(a)(2)

instructing the employee regarding the fulfillment of election related duties prior to the coordinator's appointment.

- (2) In the event an eligible election coordinator cannot be identified, the county election commissioner shall designate a member of the county election commission to attend election coordinator training.

§1303 Appointment of the County's Election Coordinator

- (a) The county board of election commissioners shall appoint one person meeting the requirements of §1302 to serve as the county's election coordinator.⁶
 - (1) The county board of election commissioners shall appoint an election coordinator no later than September 1st of the year preceding the year in which the Preferential Primary is held.
 - (2) The county board of election commissioners shall certify the person appointed to serve as the coordinator to the State Board of Election Commissioners in writing no later than October 1st of the year preceding the year in which the Preferential Primary is held.
 - (3) In the event that an election coordinator's office becomes vacant:
 - (A) The county board of election commissioners shall notify the State Board of Election Commissioners when a vacancy occurs;
 - (B) The county board of election commissioners shall appoint a new election coordinator within 30 days of the vacancy; and
 - (C) The county board of election commissioners shall certify the person appointed to fill the vacancy of election coordinator to the State Board of Election Commissioners within 45 days of the vacancy.
 - (4) The county may request in writing to appoint a second qualifying individual to receive election coordinator training for the county.
 - (A) The Director may permit additional person appointed by the county board of election commissioner to attend the training program if space permits.
 - (B) Additional persons appointed by the county board of election commissioner to attend the training program who complete the program may be appointed to replace the election coordinator, if a need arises, without additional training.

⁶ A.C.A. § 7-4-109(e)(4)

- (C) If approved by the Director, any additional persons attending county election coordinator training are not eligible for mileage or compensation from the State Board of Election Commissioners.

§1304 Required Training

- (a) The person appointed as an election coordinator for each county shall attend the instructional portion of the training program conducted by the State Board of Election Commissioners before the regularly scheduled preferential primary election.
- (b)
- (1) In the event that the county board of election commissioners appoints an election coordinator after the preferential primary, the newly appointed coordinator shall attend a special training session within 160 days of being appointed.
 - (2) The director shall ensure a special training is made available for any coordinator appointed more than thirty (30) days prior to the next election date established under A.C.A. §7-11-205.

§1305 Examination and Certification of Election Coordinators

- (a) Having attend the instructional portion of the training program the election coordinator shall take an examination of essential skills developed and administered by the State Board of Election Commissioners.
- (1) The State Board shall issue a certification to each coordinator who attended the instructional program and demonstrated competency in the skills essential for conducting an election through the examination process.
 - (2) Certification shall be issued by the State Board to each designated trainee who is certified though the training program.

§1306 Compensation

- (a) Upon completion of the instructional component of the training conducted by the State Board of Election Commissioners, the one person appointed to attend election coordinator training is eligible to receive a reimbursement for mileage at the rate established for state employees by state travel regulations⁷

⁷ A.C.A. § 7-4-109(e)(2)

- (b) The one person appointed to attend election coordinator training, who is certified under this rule, and who serves as an election official through the certification of the preferential primary election results shall be eligible to receive \$500 in compensation for attending training.
- (c) If the county board of election commissioners appoints a new election coordinator following the preferential primary, the coordinator shall be eligible to receive mileage for required training only but is not eligible to receive additional compensation.
- (d)
 - (1) All compensation and reimbursement paid under this section shall be paid to the County Treasurer and shall include a statement explaining the purpose of the funds and who is entitled to receive the funds under state law.
 - (2) Mileage for training shall be paid upon receipt of the reporting form approved by the State Board and verification that the coordinator was certified.
 - (3) Payment of the \$500 shall be paid upon verification by the Director that the coordinator who attended training remains an election coordinator for the county at the time the preferential primary is certified.

§1307 Noncompliance

The State Board may withhold funding for county coordinator 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.⁸

§1308 Training Materials

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

⁸ A.C.A. § 7-7-201(b)(3)