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Facts about Election Administration in Arkansas

While some election duties are statutorily required of elected county clerks (such as registering voters and conducting early and absentee voting), Arkansas law charges appointed county boards of election commissioners with the primary duty of administering elections at the county level.

The three-member county boards of election commissioners (CBEC) include the county chairs of the majority and minority political parties. If those chairs cannot serve, the respective county committee selects a replacement. A third member is selected by the majority party committee. In practice, this has usually meant two Democrats and one Republican serve as election commissioners in each county. While the law is specific about the duties required of election commissioners, it does not require them to be certified in election administration or to be full-time employees.

As a practical matter, some election commissioners already have full-time jobs that do not allow them to dedicate much time to administering elections. When this is the case, many county clerks have assumed the day-to-day administrative duties involved with elections. Other counties have hired election coordinators to assist with the duties. Of course, some counties have commissioners who are retired and have the resources to commit the extra hours needed to administer elections.

The election coordinators who have been procured by some counties do not have any statutory duties or qualifications. Many are part-time or contract laborers working without an office. Like the election commissioners, they also are not certified in election administration.

Below is a list of some of the important election duties and the responsible parties by law and as it can vary in practice:

- Acquire voting equipment and supplies: Quorum Courts (with assistance from the Secretary of State)
- Certify voting machines: State Board of Election Commissioners (SBEC)
- Appoint election monitors: SBEC
- Set election regulations: SBEC
- Pay for state-funded elections: SBEC
- Investigate election complaints and impose sanctions: SBEC
- Publish candidate handbooks and educate voters: SOS and SBEC
- Train election officials: SOS and SBEC
- Voter education: SOS
- File candidates: SOS (statewide and district) and County Clerk (local)
- Register voters: County Clerk (SOS maintains the statewide list)
- Conduct absentee voting: County Clerk

- Conduct early voting: County Clerk (CBEC in some counties, in some elections)
- Report election results to the state: County Clerk (Sometimes CBEC and/or election coordinator)
- Supervise elections: CBEC and County Clerk
- Certify elections: CBEC and SOS
- Set election precinct and polls: CBEC
- Decide election challenges: CBEC
- **Hire poll workers: CBEC (Sometimes County Clerk and/or election coordinator)**
- **Publish notices of elections: CBEC (Sometimes County Clerk and/or election coordinator)**
- **Print ballots & program machines: CBEC (Sometimes County Clerk and/or election coordinator)**
- **Deliver election supplies to polls: CBEC (Sometimes County Clerk and/or election coordinator)**
- **Count and recount ballots: CBEC (Sometimes County Clerk and/or election coordinator)**

As this list demonstrates, Arkansas's election administration structure lacks uniformity, and the laws, by necessity, are not always followed. The Secretary of State's office estimates that about a third of county election commissioners take an active role in administering elections, a third rely on their county clerks, and a third have used county funds to hire an election coordinator. These categories are fluid, however, and some counties are hybrids of all three combinations.