

# STATE BOARD OF ELECTION COMMISSIONERS

## State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2022

None

## Employment Summary

	Male	Female	Total	%
White Employees	4	4	8	89 %
Black Employees	0	1	1	11 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			1	11 %
Total Employees			9	100 %

## Publications

### A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
"County Board of Election Commissioners Procedures Manual"	7-4-101(f)(2); 7-4-109(e)(1)	N	N	500	Statewide training of county election commissioners to assure fair and orderly election procedures	0	0.00
"Poll Workers Training Guide and Checklist for Poll Workers"	7-4-101(f)(2); 7-4-107(b)(2); 7-4-109(e)(1)	N	N	11,500	Statewide training, testing, and Board certification of trainers to train poll workers locally - Statewide training of local poll workers to assist them in executing election day duties and responsibilities	0	0.00

**A.C.A. 25-1-201 et seq.**

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
"Running for Public Office: A 'Plain English' Handbook for Candidates"	7-4-101(f)(1)	N	N	5,000	Statutory Requirement - to outline in a readable and understandable format the legal obligations of candidates running for public office	0	0.00

Department Appropriation Summary

Historical Data							Agency Request and Executive Recommendation								
Appropriation		2021-2022		2022-2023		2022-2023		2023-2024				2024-2025			
		Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
436	Nonpartisan General Elections	0	0	1,560,000	0	1,600,000	0	1,600,000	0	1,600,000	0	1,600,000	0	1,600,000	0
580	Election Commissioners - Operations	732,955	8	992,468	10	1,057,743	10	1,090,664	10	1,090,664	10	1,098,617	10	1,098,617	10
581	Election Expenses	169,791	0	3,967,209	0	6,340,000	0	6,340,000	0	6,340,000	0	6,340,000	0	6,340,000	0
Total		902,746	8	6,519,677	10	8,997,743	10	9,030,664	10	9,030,664	10	9,038,617	10	9,038,617	10

Funding Sources			%		%			%		%		%		%
Fund Balance	4000005	1,884,013	27.5	5,946,997	89.5		121,579	1.4	121,579	1.4	121,579	12.0	121,579	15.0
General Revenue	4000010	4,766,850	69.6	629,850	9.5		5,031,663	56.2	4,822,903	55.1	894,663	88.0	687,256	85.0
Performance Fund	4000055	0	0.0	64,409	1.0		0	0.0	0	0.0	0	0.0	0	0.0
Budget Stabilization Trust	4000130	0	0.0	0	0.0		2,203,000	24.6	2,203,000	25.2	0	0.0	0	0.0
Inter-agency Fund Transfer	4000316	190	0.0	0	0.0		0	0.0	0	0.0	0	0.0	0	0.0
Intra-agency Fund Transfer	4000317	0	0.0	0	0.0		0	0.0	0	0.0	0	0.0	0	0.0
Judicial Filing Fees	4000320	198,690	2.9	0	0.0		1,600,000	17.9	1,600,000	18.3	0	0.0	0	0.0
Total Funds		6,849,743	100.0	6,641,256	100.0		8,956,242	100.0	8,747,482	100.0	1,016,242	100.0	808,835	100.0
Excess Appropriation/(Funding)		(5,946,997)		(121,579)			74,422		283,182		8,022,375		8,229,782	
Grand Total		902,746		6,519,677			9,030,664		9,030,664		9,038,617		9,038,617	

Variance in Fund Balance is due to unfunded appropriation.

## **Analysis of Budget Request**

**Appropriation:** 436 - Nonpartisan General Elections

**Funding Sources:** MFF - Nonpartisan Filing Fee Fund

Amendment 80, §17 and 18, to the Arkansas Constitution states that Circuit Judges, District Judges, Supreme Court Justices and Court of Appeals Judges be elected on a nonpartisan basis. This amendment went into effect July 2001. Act 1110 of 2013 made the office of the prosecuting attorney a nonpartisan office. Act 1789 of 2001 established the guidelines for the nonpartisan elections and charged the State Board of Election Commissioners with funding nonpartisan general elections and establishing reasonable filing fees for nonpartisan offices. The Board promulgates rules and regulations establishing nonpartisan office filing fees for covering the cost of election expenses paid from this funding.

Transfer of funds Special Language authorizes the Chief Fiscal Officer of the State to transfer funds from the Nonpartisan Filing Fee Fund to the Miscellaneous Agencies Fund upon receiving certification from the Director of State Board of Election Commissioners if funds are not available to perform their duties.

Continuing level of appropriation is the FY2023 Authorized.

The Agency requests to continue appropriation of \$1,600,000 in each year of the biennium.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 436 - Nonpartisan General Elections

**Funding Sources:** MFF - Nonpartisan Filing Fee Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Grants and Aid	5100004	0	1,560,000	1,600,000	1,600,000	1,600,000	1,600,000	1,600,000
Total		0	1,560,000	1,600,000	1,600,000	1,600,000	1,600,000	1,600,000
Funding Sources								
Fund Balance	4000005	1,884,013	1,979,788		121,579	121,579	121,579	121,579
Intra-agency Fund Transfer	4000317	(102,915)	(298,209)		0	0	0	0
Judicial Filing Fees	4000320	198,690	0		1,600,000	1,600,000	0	0
Total Funding		1,979,788	1,681,579		1,721,579	1,721,579	121,579	121,579
Excess Appropriation/(Funding)		(1,979,788)	(121,579)		(121,579)	(121,579)	1,478,421	1,478,421
Grand Total		0	1,560,000		1,600,000	1,600,000	1,600,000	1,600,000

## **Analysis of Budget Request**

**Appropriation:** 580 - Election Commissioners - Operations

**Funding Sources:** HUA - Miscellaneous Agencies Fund

The State Board of Election Commissioners is a general revenue funded Agency that administers state supported political party primary and special elections. The seven member Board is comprised of the Secretary of State as Chairperson, two members appointed by the Governor, and one member each appointed by the chair of the state Democratic party, the chair of the state Republican party, the President Pro Tempore of the Arkansas Senate, and the Speaker of the Arkansas House of Representatives. Legislation passed during the 1995 session redefined the duties of the Board and created for the first time a staff and an operating appropriation.

The Board develops resources to educate and assist candidates and county election administrators, develops specialized training programs, conducts and coordinates statewide training of county election commissioners and election officials, monitors compliance by local election authorities with federal and state election laws, investigates complaints of alleged election misconduct and election law violations, and distributes funds to the counties for state-supported political party primary elections, nonpartisan general elections, special primary elections, and statewide special elections.

Transfer of funds Special Language authorizes the Chief Fiscal Officer of the State to transfer funds from the Nonpartisan Filing Fee Fund to the Miscellaneous Agencies Fund upon receiving certification from the Director of State Board of Election Commissioners if funds are not available to perform their duties.

This appropriation is funded by General Revenue.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2023 Authorized.

The Agency is requesting appropriation of \$1,090,664 in FY24 and \$1,098,617 in FY25 and general revenue funding of \$894,663 in each year of the biennium.

The Agency request includes the following changes:

- Increase of General Revenue funding in the amount of \$208,760 in FY24 and \$207,407 in FY25 due to increased personnel and operating expenses.

The Executive Recommendation provides for the Agency Request for appropriation only.

## Appropriation Summary

**Appropriation:** 580 - Election Commissioners - Operations

**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	434,972	615,678	599,766	602,867	602,867	603,967	603,967
<b>#Positions</b>		<b>8</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>
Extra Help	5010001	0	0	100,000	100,000	100,000	100,000	100,000
<b>#Extra Help</b>		<b>0</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>
Personal Services Matching	5010003	159,160	203,980	185,167	214,987	214,987	221,840	221,840
Operating Expenses	5020002	131,578	162,810	162,810	162,810	162,810	162,810	162,810
Conference & Travel Expenses	5050009	2,608	5,000	5,000	5,000	5,000	5,000	5,000
Professional Fees	5060010	4,637	5,000	5,000	5,000	5,000	5,000	5,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
<b>Total</b>		<b>732,955</b>	<b>992,468</b>	<b>1,057,743</b>	<b>1,090,664</b>	<b>1,090,664</b>	<b>1,098,617</b>	<b>1,098,617</b>

  

Funding Sources								
General Revenue	4000010	629,850	629,850		894,663	685,903	894,663	687,256
Performance Fund	4000055	0	64,409		0	0	0	0
Inter-agency Fund Transfer	4000316	190	0		0	0	0	0
Intra-agency Fund Transfer	4000317	102,915	298,209		0	0	0	0
<b>Total Funding</b>		<b>732,955</b>	<b>992,468</b>		<b>894,663</b>	<b>685,903</b>	<b>894,663</b>	<b>687,256</b>
Excess Appropriation/(Funding)		0	0		196,001	404,761	203,954	411,361
<b>Grand Total</b>		<b>732,955</b>	<b>992,468</b>		<b>1,090,664</b>	<b>1,090,664</b>	<b>1,098,617</b>	<b>1,098,617</b>

FY23 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2021-2023 Biennium.

## **Analysis of Budget Request**

**Appropriation:** 581 - Election Expenses

**Funding Sources:** HUA - Miscellaneous Agencies Fund

This appropriation provides reimbursement to the counties for the expenses of state supported political party primary elections, special primary elections, and statewide special elections. This appropriation also covers expenses incurred by the Board to compensate local election administrators for mandatory statewide training attendance, to publish a handbook for candidates running for public office, and to publish educational and training materials to aid county election administrators in conducting elections in compliance with federal and state election laws, pursuant to Ark. Code Ann. § 7-4-101, 7-4-107, and 7-4-109.

Transfer of funds Special Language authorizes the Chief Fiscal Officer of the State to transfer funds from the Nonpartisan Filing Fee Fund to the Miscellaneous Agencies Fund upon receiving certification from the Director of State Board of Election Commissioners if funds are not available to perform their duties.

Carry Forward Special Language authorizes carry forward of remaining funds between fiscal years. Transfer of funds Special Language authorizes the Chief Fiscal Officer of the State to transfer funds from the Budget Stabilization Trust Fund to the Board's Miscellaneous Agencies Fund Account to provide funding for expenses of state-supported elections, if funds are not available to pay for these elections.

This appropriation is funded by general revenue.

Continuing level of appropriation is the FY2023 Authorized.

The Agency requests appropriation of \$6,340,000 in each year of the biennium and \$4,137,000 in general revenue funding in FY2024 only.

The Executive Recommendation provides for the Agency Request.



## Appropriation Summary

**Appropriation:** 581 - Election Expenses

**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2021-2022	2022-2023	2022-2023	2023-2024		2024-2025	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Election Expenses	5900046	169,791	3,967,209	6,340,000	6,340,000	6,340,000	6,340,000	6,340,000
Total		169,791	3,967,209	6,340,000	6,340,000	6,340,000	6,340,000	6,340,000
Funding Sources								
Fund Balance	4000005	0	3,967,209		0	0	0	0
General Revenue	4000010	4,137,000	0		4,137,000	4,137,000	0	0
Budget Stabilization Trust	4000130	0	0		2,203,000	2,203,000	0	0
Total Funding		4,137,000	3,967,209		6,340,000	6,340,000	0	0
Excess Appropriation/(Funding)		(3,967,209)	0		0	0	6,340,000	6,340,000
Grand Total		169,791	3,967,209		6,340,000	6,340,000	6,340,000	6,340,000

Special Language authorizes carry forward of funding. Expenditure of appropriation in FY25 is contingent upon the carry forward of available funding from FY24.

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2022 TO FISCAL YEAR 2023**

Agency: State Board of Election Commissioners

Program: Election Expenses

Act #: 996 Section(s) #: 4 & 6

Estimated Carry Forward Amount \$ 3,900,000.00 Funding Source: General Revenue

**Accounting Information:**

Business Area: 0232 Funds Center: 581 Fund: HUA Functional Area: PROF

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

The SBEC is required by state law to reimburse the counties for cost of the preferential primary as well as some state-funded special elections. The primary represents the vast majority of these expenses and only occurs once every two years. Because the expense is biennial, this funding for election expenses is provided only once in the two year cycle; however, the majority of counties will not be able to complete their request for reimbursement until after the start of the new fiscal year which is why the funds must carry forward. Furthermore, any state-funded special election called by the Governor in the odd numbered fiscal years are reimbursed from these funds.

**Actual Funding Carry Forward Amount** \$ 3,967,209.00

**Current status of carry forward funding:**

Funds will be expended in FY23

Daniel J. Shults

Director

08-01-2022

Date