

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

DRAFT CLR/KFW
HOUSE BILL

By: Representative D. Altes

Filed with: Arkansas Legislative Council
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO REQUIRE THAT SCHOOL ELECTIONS BE HELD ON
THE SAME DATE AS GENERAL ELECTIONS; TO AMEND THE TERM
OF SERVICE FOR A SCHOOL BOARD MEMBER; AND FOR OTHER
PURPOSES.

Subtitle

TO REQUIRE THAT SCHOOL ELECTIONS BE HELD
ON THE SAME DATE AS GENERAL ELECTIONS; TO
AMEND THE TERM OF SERVICE FOR A SCHOOL
BOARD MEMBER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-13-617 is amended to read as follows:

6-13-617. Oath ~~-- Term of office.~~

(a) Each director elected or appointed shall, ~~within ten (10) days~~
~~after receiving notice of his or her election or appointment,~~ subscribe to
the following oath:

"I, _____, do hereby solemnly swear or
affirm, that I will support the Constitution of the United States and the
Constitution of the State of Arkansas, and that I will not be interested,
directly or indirectly, in any contract made by the district of which I am a
director, except as permitted by state law and that I will faithfully
discharge the duties as school director in

_____ School District, No.

1 _____ of
 2 _____ County, Arkansas, upon which I am
 3 about to enter.”

4 (b) The person shall take the oath under subsection (a) of this
 5 section:

6 (1) On or after January 1 but not later than January 10 of the
 7 year following the year in which he or she was elected in an annual school
 8 election; or

9 (2) Within ten (10) days after receiving notice of his or her:

10 (A) Election in a special election; or

11 (B) Appointment.

12 ~~(b)(c)~~ The county clerk, upon receipt of the oath prescribed for a
 13 director, ~~shall immediately~~ immediately shall commission ~~such persons, and~~
 14 ~~they~~ the director, and he or she shall enter at once upon ~~their~~ his or her
 15 duties as ~~directors~~ a director.

16 (d) The term of office of a director shall begin:

17 (1) January 1 following the director's election in an annual
 18 school election; or

19 (2) Upon the director taking the oath of office under this
 20 section if the director is:

21 (A) Elected in a special election; or

22 (B) Appointed.

23 (e) A director shall hold his or her office for the term prescribed by
 24 the law and until a successor is elected or appointed and qualified.

25
 26 SECTION 2. Arkansas Code § 6-13-618(a), concerning the organizational
 27 meeting of a school district board of directors, is amended to read as
 28 follows:

29 (a) At the first regular meeting ~~following~~ after ~~the annual school~~
 30 ~~election~~ January 1 of each year, the board of directors of each school
 31 district shall organize by electing:

32 (1) One (1) ~~of their number~~ member president;

33 (2) One (1) ~~of their number~~ member vice president; and

34 (3) A secretary who may be, but need not be, a member of the
 35 board of directors.

SECTION 3. Arkansas Code § 6-14-101 is amended to read as follows:

6-14-101. Applicability of general election laws.

(a) The general election laws shall apply to school elections insofar as they are not in conflict with the school election laws.

(b) The county board of election commissioners may include the annual school election on a separate ballot if the board determines that a separate ballot is necessary to avoid voter confusion.

SECTION 3. Arkansas Code § 6-14-102(a)(1), concerning the annual school election date, is amended to read as follows:

(a)(1) The annual school election shall be held in each school district of the state on the ~~third Tuesday in September~~ Tuesday next after the first Monday in November of each year.

SECTION 4. Arkansas Code § 6-14-118 is amended to read as follows:

6-14-118. Expenses.

(a)(1) In special school elections, the school districts in the county shall reimburse the county for the cost of the election less expenses incurred for election officials at individual polling places, with each school district's share of the total being determined by multiplying the total cost of the election by a fraction, the numerator of which is the number of votes cast in the specific school election and the denominator of which is the total number of votes cast in the entire election.

(2) Expenses incurred for election officials at individual polling places shall be paid by the school district in which the polling place is located.

(b) At all ~~annual or~~ special elections, the board of directors of each school district shall pay the expenses of the election out of the school fund.

(c) A county shall conduct the annual school election or a runoff election resulting from an annual school election at no cost to the school district.

Referral requested by: Representative Denny Altes

Prepared by: CLR/KFW