

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

SENATE BILL 105

5 By: Senator Broadway
6 By: Representative Mahony
7
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For An Act To Be Entitled

10 AN ACT TO CLARIFY THE PROCEDURE BY WHICH A SCHOOL
11 DISTRICT CAN HOLD A SCHOOL ELECTION ON A DATE
12 OTHER THAN THE DATE OF THE ANNUAL SCHOOL
13 ELECTION; TO REPEAL ARKANSAS COLDE § 6-14-102;
14 AND FOR OTHER PURPOSES.
15

Subtitle

16 AN ACT TO CLARIFY THE PROCEDURE BY WHICH
17 A SCHOOL DISTRICT CAN HOLD A SCHOOL
18 ELECTION ON A DATE OTHER THAN THE DATE
19 OF THE ANNUAL SCHOOL ELECTION; TO REPEAL
20 § ARKANSAS CODE 6-14-102.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 26-80-102 is amended to read as follows:
27 26-80-102. Approval of tax at elections.

28 (a) In addition to the uniform rate of tax as provided in § 26-80-101,
29 school districts are authorized to levy, by a vote of the qualified electors
30 respectively thereof, an annual ad valorem property tax on the assessed value
31 of taxable real, personal, and utility property for the maintenance and
32 operation of schools and the retirement of indebtedness. The board of
33 directors of each school district shall prepare, approve and make public not
34 less than sixty (60) days in advance of the annual school election a proposed
35 budget of expenditures deemed necessary to provide for the foregoing
36 purposes, together with a rate of tax levy sufficient to provide the funds



1 therefore, including the rate under any continuing levy for the retirement of
 2 indebtedness. The board of directors shall submit the tax at the annual
 3 school election or at such other time as may be provided by law. If a
 4 majority of the qualified voters in the school district voting in the school
 5 election approve the rate of tax proposed by the board of directors, then the
 6 tax at the rate approved shall be collected as provided by law. In the event
 7 a majority of the qualified electors voting in the school election disapprove
 8 the proposed rate of tax, then the tax shall be collected at the rate
 9 approved at the last preceding school election. However, if the rate approved
 10 has been modified pursuant to the uniform rate of tax calculated by the State
 11 Department of Education, then the tax shall be collected at the modified rate
 12 until another rate is approved.

13 (b) If the board of directors of a school district deems it advisable,
 14 the board may hold a special school election on a date other than the date of
 15 the annual school election for the purpose of submitting to the electors of
 16 the school district the annual tax, provided that:

17 (1) The date of the election is approved by the Director of
 18 the Department of Education;

19 (2) The election is held prior to the date of the annual
 20 school election;

21 (3) The board of directors gives notice of the special
 22 election in the same manner as provided by law for the annual school
 23 election; and

24 (4) The board of directors publishes its proposed budget of
 25 expenditures not less than sixty (60) days in advance of the special
 26 election.

27 (c)(1) The annual tax shall be voted only one (1) time per
 28 calendar year.

29 (2) If the tax is submitted to the voters on a date other than
 30 the date of the annual school election, the annual tax shall not be submitted
 31 again at the annual school election.

32 ~~(b)(d)~~ No tax levied pursuant to subsection (a) of this section shall
 33 be appropriated to any other district than that for which it is levied.
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35 SECTION 2. Arkansas Code § 6-14-102(d) is repealed.

36 ~~(d) The board of directors of any school district shall have the~~

1 ~~authority to request the county board of election commissioners to call a~~
2 ~~special election for the purpose of considering a rate of tax for additional~~
3 ~~millages for maintenance and operations or for debt service as authorized by~~
4 ~~Arkansas Constitution, Amendment 74, provided that:~~

5 ~~(1) All constitutional and statutory requirements for a special~~
6 ~~school election are met; and~~

7 ~~(2) The date of the election is approved by the director.~~

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