

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

A Bill

SENATE BILL 618

4
5 By: Senator Madison
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For An Act To Be Entitled

8
9 AN ACT TO LIMIT THE NUMBER OF SPECIAL ELECTIONS
10 IN A CALENDAR YEAR; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO LIMIT THE NUMBER OF SPECIAL
14 ELECTIONS.
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16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 7-5-103 is amended to read as follows:
20 7-5-103. Time of special elections.

21 (a) If no time is otherwise provided by law, all special elections to
22 fill vacancies ~~or to elect any officers where there appears to be a tie vote~~
23 shall be held at the time specified in the proclamation issued by the
24 appropriate constituted authority but in no event earlier than thirty (30)
25 days following the issuance of the proclamation.

26 (b)(1) Each political subdivision shall hold only one (1) special
27 election, including but not limited to special elections on tax or bond
28 issues, per year unless the special election is held:

29 (A) To fill a vacancy,

30 (B) For the purpose of considering a rate of tax for additional
31 millages for maintenance and operations or for debt service as authorized by
32 Amendment 74 of the Arkansas Constitution,; or

33 (C) In conjunction with a regularly scheduled preferential
34 primary election, general primary election, general election, general run-off
35 election, or an election to fill a vacancy.

36 (c) Except as provided in subsection (b) of this section, special



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1 elections shall be held on the second Tuesday of any month, but in no event
 2 earlier than thirty (30) days following the issuance of the proclamation
 3 issued by the appropriate constituted authority.

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 5 SECTION 2. Arkansas Code § 14-14-917(a)(4), concerning the time of
 6 special elections for initiative and referendum elections, is amended to read
 7 as follows:

8 (4) Time of Special Election. The county court shall fix the
 9 date for the conduct of any special elections on referendum measures. The
 10 date shall be not less than thirty (30) calendar days after the date of the
 11 order calling the election. However, where the electors exercise their powers
 12 to establish the necessity for a special election, the county court shall
 13 order an election ~~not more than forty five (45) calendar days after~~
 14 ~~certification of sufficiency by the county clerk, nor~~ according to the dates
 15 stated in § 7-5-103, but not less than thirty (30) calendar days after the
 16 date of the order calling the election.

17
 18 SECTION 3. Arkansas Code § 6-14-102(d), concerning special school
 19 elections, is amended to read as follows:

20 (d) The board of directors of any school district shall have the
 21 authority to request the county board of election commissioners to call a
 22 special election for the purpose of considering a rate of tax for additional
 23 millages for maintenance and operations or for debt service as authorized by
 24 Arkansas Constitution, Amendment 74, provided that:

- 25 (1) All constitutional and statutory requirements for a special
 26 school election are met;~~and~~
 27 (2) The date of the election is approved by the director~~;~~ and
 28 (3) The special election is held on the second Tuesday of any
 29 month.

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 31 SECTION 4. Arkansas Code § 6-14-105 is amended to read as follows:
 32 6-14-105. Special election on petition of school district board of
 33 directors.

34 (a) If the board of directors of a school district deems it advisable
 35 to hold a special election in the district, the board of directors shall
 36 present a petition to the county court of the county of its domicile.

1 (b)(1) If the county court approves of the petition, it shall enter an
2 order fixing a day for the special election, not earlier than thirty (30)
3 days after the date of the order.

4 (2) The county court shall set the date for the special election
5 so that the special election is held on the second Tuesday of any month.

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