

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

As Engrossed: S3/26/03

A Bill

SENATE BILL 618

5 By: Senator Madison
6
7

For An Act To Be Entitled

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

Subtitle

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

15
16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

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:

29 (A) Is held to fill a vacancy;

30 (B) Is specifically authorized by the Arkansas

31 Constitution; or

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

35 (c) Except as provided in subsection (b) of this section, special
36 elections shall be held on the second Tuesday of any month, but in no event



1 earlier than thirty (30) days following the issuance of the proclamation
 2 issued by the appropriate constituted authority.

3
 4 SECTION 2. Arkansas Code § 14-14-917(a)(4), concerning the time of
 5 special elections for initiative and referendum elections, is amended to read
 6 as follows:

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

16
 17 SECTION 3. Arkansas Code § 6-14-102(d), concerning special school
 18 elections, is amended to read as follows:

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

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

26 (2) The date of the election is approved by the director; and

27 (3) The special election is held on the second Tuesday of any
 28 month.

29
 30 SECTION 4. Arkansas Code § 6-14-105 is amended to read as follows:

31 6-14-105. Special election on petition of school district board of
 32 directors.

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

36 (b)(1) If the county court approves of the petition, it shall enter an

1 order fixing a day for the special election, not earlier than thirty (30)
2 days after the date of the order.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/ Madison