

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 504

5 By: Senator J. English  
6 By: Representative Lowery  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE DATE OF AN ANNUAL SCHOOL  
10 ELECTION; AND FOR OTHER PURPOSES.  
11

## Subtitle

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14 TO AMEND THE DATE OF AN ANNUAL SCHOOL  
15 ELECTION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 6-14-102 is amended to read as follows:

21 (a)(1) The annual school election shall be held in each school  
22 district of the state on the ~~third Tuesday in September or the~~ first Tuesday  
23 following the first Monday in November of each year.

24 (2)(A) Except as provided in subdivision (a)(2)(B) of this  
25 section, the annual school election shall only concern issues authorized to  
26 be on the ballot by the Arkansas Constitution or by statute, and no other  
27 issues shall appear on the ballot.

28 (B) ~~If the~~ At an annual school election that is held in  
29 November of an even-numbered year, the issues to be considered in the annual  
30 school election may be printed on the same ballot as the general election  
31 ballot.

32 (b) The board of directors of any school district shall have the  
33 authority to hold a school election concerning the tax rate or debt issues on  
34 a date other than that fixed by law provided that:

35 (1) All constitutional and statutory requirements for the annual  
36 school election are met, notwithstanding subsection (a) of this section;



1 (2) The election is held before the date of the annual school  
2 election; and

3 (3) The Commissioner of Education approves the date of the  
4 election.

5 (c)(1) In any election year ~~in which the annual school election is~~  
6 ~~held in September~~, if no more than one (1) candidate for any school district  
7 director position presents a petition or notice as required by § 6-14-111 and  
8 if there are no other ballot issues to be submitted to school district  
9 electors for consideration, with the exception of the local tax rate if that  
10 rate is not being changed or restructured, the board of directors of any  
11 school district, by resolution, may request the county board of election  
12 commissioners to:

- 13 (A) Reduce the number of polling places;
- 14 (B) Open no polling places on election day so that the  
15 election can be conducted by absentee ballot and early voting only; or
- 16 (C) Open no polling places on election day and hold an  
17 election by candidate under the procedure in § 7-11-107(c).

18 (2)(A) ~~If the annual school election is held in September and~~  
19 ~~upon~~ Upon request by proper resolution adopted by the board of directors of  
20 any school district, the county board of election commissioners may provide  
21 that no polling places be open on election day so that the election can be  
22 conducted by:

- 23 (i) Absentee ballot and early voting only; or
- 24 (ii) Election by candidate under the procedure in §  
25 7-11-107(c).

26 (B) If a county uses electronic voting machines or  
27 electronic vote tabulating devices, the county board of election  
28 commissioners may use:

- 29 (i) The electronic voting machines or electronic  
30 vote tabulating devices; or
- 31 (ii) Paper ballots counted by hand and provide no  
32 voting machines to be used in the election, notwithstanding any other  
33 provision in the Arkansas Code.

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35 SECTION 2. The introductory language of Arkansas Code § 6-14-106(b),  
36 concerning polling places and qualifications and appointment of election

1 commissioners and poll workers, is amended to read as follows:

2 (b) If the annual school election is held ~~in September of any year or~~  
3 in November of an odd-numbered year and a school district has territory in  
4 more than one (1) county, the county board of election commissioners of the  
5 county in which the school district is domiciled shall designate in a  
6 contested school election one (1) or more polling sites in each county:

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8 SECTION 3. Arkansas Code § 6-14-115(a)(1)(B), concerning the school  
9 elections and results, is amended to read as follows:

10 (B) Subdivision (a)(1)(A) of this section shall apply  
11 regardless of ~~whether~~ the date the annual school election is held ~~on the~~  
12 ~~third Tuesday in September or the first Tuesday following the first Monday in~~  
13 ~~November.~~

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