

*As Engrossed: 4/6/95*

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representatives Lancaster and Owens**

# **A Bill**

**ACT 1281 OF 1995**  
**HOUSE BILL 1403**

## **For An Act To Be Entitled**

8 *"AN ACT TO AMEND ARK. CODE ANN. § 6-14-102 TO AUTHORIZE A*  
9 *CHANGE IN THE DATE OF THE ANNUAL SCHOOL ELECTION IN EVEN-*  
10 *NUMBERED YEARS WHEN THERE IS NO MORE THAN ONE CANDIDATE*  
11 *FOR ELECTION TO THE DISTRICT BOARD OR THE COUNTY BOARD OF*  
12 *EDUCATION AND NO OTHER BALLOT ISSUES TO BE SUBMITTED TO*  
13 *DISTRICT ELECTORS; AND FOR OTHER PURPOSES."*

## **Subtitle**

16 *"TO AUTHORIZE A CHANGE IN THE DATE OF*  
17 *THE ANNUAL SCHOOL ELECTION WHEN THERE IS*  
18 *NO MORE THAN ONE CANDIDATE FOR THE LOCAL*  
19 *BOARD OR COUNTY BOARD AND NO OTHER*  
20 *BALLOT ISSUES."*

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

24 SECTION 1. Arkansas Code Annotated § 6-14-102 is hereby amended to read  
25 as follows:

26 "6-14-102. Annual school election date.

27 (a) The annual school election shall be held in each school district of  
28 the state on the third Tuesday in September.

29 (b) In an even-numbered year, if no more than one (1) candidate for  
30 school district director or member of the county board of education presents a  
31 petition or notice in writing to the county board of election commissioners as  
32 required by § 6-14-111, and there are no other ballot issues to be submitted  
33 to district electors for consideration, the board of directors of any school  
34 district may, by resolution duly adopted, request the county board of election  
35 commissioners to change the date of the annual school election to coincide  
36 with that of the general election.

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1 (c) The board of directors of any school district shall have the  
2 authority to change the date of an annual school election that has been set  
3 when the district suffers damage to its physical facilities in an amount  
4 exceeding one hundred twenty-five thousand dollars (\$125,000) as a result of  
5 fire or other natural disaster, provided that all constitutional requirements  
6 are met.

7 (d) If the board of directors of the school district determines that the  
8 proceeds of insurance on those facilities will be insufficient to restore or  
9 replace the facilities, the board of directors may, by resolution duly adopted  
10 and with the approval of the Director of General Education, postpone the date  
11 of the annual school election in that school district for such year from the  
12 third Tuesday in September to the second Tuesday in December.

13 (e) Certified copies of the resolution shall be delivered not later than  
14 the Monday next preceding the third Tuesday in September to the Director of  
15 General Education, and to the county supervisor, or secretary of the county  
16 board of education if there is no county school supervisor, and chairman of  
17 the county board of election commissioners of each county in which any of the  
18 territory of the school district is located.

19 (f) The board of directors of any school district that will lose state  
20 aid because of a court decision or legislation enacted by the General Assembly  
21 shall have authority, no less than sixty (60) days after the court's decision  
22 or effective date of the legislation, to change the date of the annual school  
23 election to consider a millage increase."  
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25 SECTION 2. All provisions of this act of a general and permanent nature  
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
27 Revision Commission shall incorporate the same in the Code.

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29 SECTION 3. If any provision of this act or the application thereof to  
30 any person or circumstance is held invalid, such invalidity shall not affect  
31 other provisions or applications of the act which can be given effect without  
32 the invalid provision or application, and to this end the provisions of this  
33 act are declared to be severable.

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35 SECTION 4. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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*/s/Rep. Lancaster, et al*

BECAME LAW WITHOUT GOVERNOR'S SIGNATURE: 4-14-95

