

1 **State of Arkansas**
2 **78th General Assembly**
3 **First Extraordinary Session, 1992**
4 **By: Representative Mahony**
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Call Item 33
A BILL ACT 62 OF 1992
HOUSE BILL 1034

7 **For An Act To Be Entitled**

8 "AN ACT TO PROVIDE THAT WHEN ANY ELECTION IS HELD ON THE
9 QUESTION OF COMBINING TWO OR MORE SCHOOL DISTRICTS INTO A
10 SINGLE DISTRICT IT MAY BE HELD ON THE DATE OF THE ANNUAL
11 SCHOOL ELECTION AND THE ISSUE OF COMBINING THE DISTRICT
12 AND THE LEVY OF A SPECIFIED TAX MILLAGE TO SUPPORT THE NEW
13 DISTRICT MAY BE PLACED ON THE BALLOT AS A SINGLE ISSUE;
14 AND FOR OTHER PURPOSES."

15

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

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18 *SECTION 1. The consideration of the question of the consolidation,*
19 *annexation, or merger of two or more school districts, or parts thereof, in*
20 *their entireties (K-12), may be made at the annual school election with the*
21 *issue of combining the districts and the levying of a specified tax millage to*
22 *support the new district placed on the ballot as a single issue, in order to*
23 *assure that when the two or more districts, or parts thereof, are combined*
24 *into one district a single millage will be levied for support of the new*
25 *district. Further, the Board of Directors of the districts may, by*
26 *resolution, duly adopted and with the approval of the Director of the*
27 *Department of Education, Division of General Education, set a date for the*
28 *annual school election in that year for the districts involved on a date other*
29 *than the date set in ACA 6-14-102 for all school districts, provided only one*
30 *(1) annual school election may be held in any school district in one (1)*
31 *calendar year.*

32 *If an election is not held in the newly-formed district, the vote on the*
33 *millage for the newly-formed district will be held at the next annual school*
34 *election.*

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36 SECTION 2. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 3. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 4. (a) Ark. Code § 26-80-111 is hereby repealed.

11 (b) All other laws and parts of laws in conflict with this act are
12 hereby repealed.

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14 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
15 Seventy-Eighth General Assembly that under Ark. Code § 26-80-111, when two or
16 more school districts are consolidated into one district, the rates of
17 millages voted in the former separate districts remain in effect until such
18 time as a new common millage rate proposed in the new district is approved by
19 a majority of the electors voting in the annual school election in the new
20 district; it is further determined by the General Assembly that the current
21 law results in serious inequities when substantially different millage rates
22 were levied in the former districts and the electors of the new district fail
23 to approve a single rate for the new district; that this act should go into
24 effect immediately in order to eliminate these inequities and provide a more
25 solid basis for those districts that have consolidated or are considering
26 consolidation. Therefore, an emergency is hereby declared to exist and this
27 act being immediately necessary for the preservation of the public peace,
28 health and safety shall be in full force and effect from and after its passage
29 and approval.

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31 */s/Jodie Mahony*

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33 APPROVED: 3-19-92

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