

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H2/14/19 H3/4/19

A Bill

HOUSE BILL 1402

5 By: Representative Gonzales
6 By: Senator D. Wallace
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE DATES FOR
10 CERTAIN SPECIAL ELECTIONS; TO PROMOTE VOTER TURNOUT;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND THE LAW CONCERNING THE DATES FOR
16 CERTAIN SPECIAL ELECTIONS; AND TO PROMOTE
17 VOTER TURNOUT.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code Title 7, Chapter 11, Subchapter 3, is amended
23 to add an additional section to read as follows:

24 7-11-304. Dates of special elections.

25 (a) The proclamation, ordinance, resolution, order, or other
26 authorized document calling for a special election shall:

27 (1) Set the date of the special election; and

28 (2) Be filed at least seventy-five (75) days before the date the
29 special election is to be held.

30 (b) If a special election is called in a year in which a preferential
31 primary election or general election is held, the special election shall be
32 held with the preferential primary election or general election.

33 (c) If a special election is called in a year in which a preferential
34 primary election or general election is not held, the special election shall
35 be held on the third Tuesday in May or the Tuesday next after the first
36 Monday in November.



1 (d) This section does not apply to special elections to fill vacancies
2 in office, special runoff elections, local option elections, or special
3 elections otherwise provided for by the Arkansas Constitution.

4 (e)(1) An emergency special election may be held on a date other than
5 the dates specified under subsections (b) and (c) of this section.

6 (2) As used in this section "emergency" means:

7 (A) Either a substantial change in:

8 (i) The interpretation of the law by the federal or
9 state courts which if not addressed by an election will render the governing
10 entity incapable of performing its lawful duties and obligations;

11 (ii) Circumstances due to a fire, flood, tornado, or
12 other natural disaster which if not addressed by an election will render the
13 governing entity financially incapable of performing its lawful duties and
14 obligations; or

15 (iii) Circumstances determined by the governing body
16 of the entity requesting the election to be an imminent danger to public
17 health and safety; and

18 (B) A delay of the special election that, until the next
19 date under subsections (b) and (c) of this section, would cause a substantial
20 and undue hardship to the governing entity.

21
22 *SECTION 2. Arkansas Code § 2-16-504(b)(1), concerning elections to*
23 *establish Johnson grass control and eradication districts, is amended to read*
24 *as follows:*

25 *(b)(1) ~~Immediately upon the submission of~~ If the petition to the*
26 *~~county court or courts is submitted under subdivision (a)(1) of this section,~~*
27 *~~the court or courts shall issue a proclamation calling the election in~~*
28 *~~accordance with~~ under § 7-11-201 et seq. and notify the county board or*
29 *~~boards of election commissioners in writing. The election shall be held on a~~*
30 *~~date in accordance with § 7-11-201 et seq. but in no event more than ninety~~*
31 *~~(90) days following publication of the proclamation~~ under § 7-11-304.*

32
33 *SECTION 3. Arkansas Code § 3-8-205(d)(3), concerning an election date*
34 *by petition regarding local option, is amended to read as follows:*

35 *(3) If the decision is in favor of the petitioners, then the*
36 *county board of election commissioners shall set the day for the election,*

1 which shall be not earlier than sixty-five (65) days ~~nor later than ninety~~
2 ~~(90) days~~ after the final decision of the Supreme Court and shall be held on
3 a date authorized under § 7-11-201 et seq.

4
5 SECTION 4. Arkansas Code § 6-14-102(b), concerning school millage
6 elections, is amended to read as follows:

7 (b) The board of directors of any school district ~~shall have the~~
8 ~~authority to~~ may hold a school election concerning the tax rate or debt
9 issues on a date ~~other than that fixed by law provided that~~ under § 7-11-304,
10 if:

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

13 (2) ~~The election is held before the date of the annual school~~
14 ~~election; and~~

15 ~~(3) The Commissioner of Education approves the date of the~~
16 ~~election.~~

17
18 SECTION 5. Arkansas Code § 6-14-122(b), concerning dates for elections
19 regarding the consolidation, annexation, or merger of school districts, is
20 amended to read as follows:

21 (b) The boards of directors of the school districts may, by resolution
22 duly adopted and with the approval of the Commissioner of Education, set a
23 date for the annual school election in that year for the school districts
24 involved on a date ~~other than the date set in § 6-14-102 for all school~~
25 ~~districts~~ under § 7-11-304, provided only one (1) annual school election may
26 be held in any school district in ~~one (1)~~ a calendar year.

27
28 SECTION 6. Arkansas Code § 6-53-602(b)(2), concerning publication of
29 proclamation by a community college, is amended to read as follows:

30 (2)(A) The local board or acting local board shall issue a
31 proclamation and set a date for the election under § 7-11-201 et seq., ~~but~~
32 ~~the date set for the election shall not be later than~~

33 (B) The local board or acting local board shall publish
34 the proclamation at least ninety (90) days ~~after the publication of the~~
35 ~~proclamation~~ before the election date.

36

1 SECTION 7. Arkansas Code § 6-53-603(a)(2), concerning the date of
2 election for a tax levy called, is amended to read as follows:

3 (2) ~~It~~ The tax may be reduced or repealed, with the exception of the
4 amount of tax required to service ~~any an~~ outstanding ~~bonds~~ bond, or the tax
5 may be increased upon approval ~~thereof~~ by a majority of the qualified
6 electors of the district voting on the issue at ~~an~~ the next election called
7 by the local board or acting local board to be held ~~at least thirty (30)~~
8 ~~calendar days after the local board or acting local board notifies the county~~
9 ~~boards of election commissioners~~ under § 7-11-304.

10
11 SECTION 8. Arkansas Code § 6-53-604(b), concerning dissolution of a
12 technical college district, is amended to read as follows:

13 (b)(1) ~~The petitions~~ A petition shall be filed with the Secretary of
14 State, ~~who, within.~~

15 (2) The Secretary of State, within ten (10) days of the receipt
16 and verification ~~by the Secretary of State~~ of the sufficiency of ~~the~~
17 ~~petitions~~ the petition, shall notify the county ~~boards~~ board of election
18 commissioners in each county in the district that an election ~~shall is to~~ be
19 held ~~at a time not less than thirty (30) days nor more than one hundred~~
20 ~~eighty (180) days from the date of notification~~ under § 7-11-304.

21
22 SECTION 9. Arkansas Code § 7-1-101(16), concerning the definition of
23 "general or special election", is amended to read as follows:

24 (16) "General or special election" means the regular biennial or
25 annual election for election of United States, state, district, county,
26 township, and municipal officials and the special elections to fill
27 vacancies therein and special elections to approve any measure. ~~The term as~~
28 ~~used in this act shall not apply to school elections for officials of school~~
29 ~~districts;~~

30
31 SECTION 10. Arkansas Code § 7-11-205 is amended to read as follows:

32 7-11-205. Dates of special elections on measures and questions -
33 Exceptions - Separate ballots.

34 (a)(1)(A) ~~Except as provided in subdivision (a)(1)(B) of this section,~~
35 ~~all special elections on measures or questions~~ A special election on a
36 measure or a question shall be held ~~on the second Tuesday of any month,~~

1 ~~except special elections held under this section in a month in which a~~
2 ~~preferential primary election, general primary election, or general election~~
3 ~~is scheduled to occur, which shall be held on the date of the preferential~~
4 ~~primary election, general primary election, or general election under § 7-11-~~
5 ~~304.~~

6 ~~(B) Special elections scheduled to occur in a month in~~
7 ~~which the second Tuesday is a legal holiday shall be held on the third~~
8 ~~Tuesday of the month.~~

9 ~~(2)(A)~~ (b)(1) If a special election is held on the date of the
10 preferential primary election, the issue or issues to be voted upon at the
11 special election shall be included on the ballot of each political party.

12 ~~(B)(2)~~ The portion of the ballot containing the special
13 election shall be labeled with a heading stating "SPECIAL ELECTION ON
14 _____" with a brief description of the measure or question to be
15 decided in the election.

16 ~~(3)(c)~~ Separate ballots containing the issue or issues to be
17 voted on at the special election and candidates for nonpartisan judicial
18 office shall be prepared and made available to voters requesting a separate
19 ballot.

20 ~~(4)(d)~~ A voter shall not be required to vote in a political
21 party's preferential primary in order to be able to vote in the special
22 election.

23 ~~(b)(1) A special election shall be held not less than seventy (70)~~
24 ~~days following the date that the proclamation, ordinance, resolution, order,~~
25 ~~or other authorized document is filed with the county clerk when the special~~
26 ~~election is to be held on the date of the preferential primary election or~~
27 ~~general election.~~

28 ~~(2) If the special election is not held at the same time as a~~
29 ~~preferential primary election or general election, the special election shall~~
30 ~~be held not less than sixty (60) days following the date that the~~
31 ~~proclamation, ordinance, resolution, order, or other authorized document is~~
32 filed with the county clerk.

33
34 *SECTION 11. Arkansas Code § 11-10-1006(a)(2), concerning elections on*
35 *the issuance of Arkansas Unemployment Trust Fund Bonds, is amended to read as*
36 *follows:*

1 (2)(A) An election under this section may be ~~in conjunction with~~
2 ~~a general election, or it may be a special election.~~

3 ~~(B) A special election held under this section shall occur~~
4 ~~on the second Tuesday of any month, except as otherwise provided for in this~~
5 ~~subsection.~~

6 ~~(C) A special election that is held in months in which a~~
7 ~~presidential preferential primary election, preferential primary election,~~
8 ~~general primary election, or general election is scheduled to occur shall be~~
9 ~~held on the date of the presidential preferential primary election,~~
10 ~~preferential primary election, general primary election, or general election,~~
11 ~~held on a date under § 7-11-304.~~

12 ~~(D)(i)(B)(i)~~ If a special election is held on the date of
13 the presidential preferential primary election, preferential primary
14 election, or general primary election, the issue or issues to be voted upon
15 at the special election shall be included on the ballot of each political
16 party.

17 (ii) However, separate ballots containing only the
18 issue or issues to be voted upon at the special election shall be prepared
19 and made available to voters requesting a separate ballot.

20 (iii) A voter shall not be required to vote in a
21 political party's presidential preferential primary election, preferential
22 primary election, or general primary election in order to be able to vote in
23 the special election.

24 ~~(E) Special elections scheduled to occur in a month in~~
25 ~~which the second Tuesday is a legal holiday shall be held on the third~~
26 ~~Tuesday of the month.~~

27
28 SECTION 12. Arkansas Code § 14-14-917(a)(2), concerning special
29 elections for referendum petition measures, is amended to read as follows:

30 (2) Referendum. Referendum petition measures may be submitted
31 to the electors during a regular general election and shall be submitted if
32 the adequacy of the petition is determined within the time limitation
33 prescribed in this section. A referendum measure may also be referred to the
34 electors at a special election called for the expressed purpose proposed by
35 petition. However, no referendum petition certified within the time
36 limitations established for initiative measures shall be referred to a

1 special election, but shall be voted upon at the next regular election. ~~No~~ A
2 referendum election shall be held ~~less than sixty (60) days after the~~
3 ~~certification of adequacy of the petition by the county clerk~~ on a date under
4 § 7-11-304.

5
6 SECTION 13. Arkansas Code § 14-20-108(a)(1)(B)(i)(b), concerning
7 special elections on the issue of the levy of volunteer fire department dues
8 on residences, is amended to read as follows:

9 (b)~~(1)~~ The issue may be placed on the ballot at a
10 special election by order of the quorum court in accordance with § 7-11-201
11 et seq.

12 ~~(2) The special election shall be held by~~
13 ~~August 1.~~

14
15 SECTION 14. Arkansas Code § 14-40-303(a)(3), concerning ordinances
16 calling annexation elections, is amended to read as follows:

17 (3) Fix the date for the election ~~provided in~~ under this section
18 at the next special election date under § 7-11-304 after the ordinance is
19 filed.

20
21 SECTION 15. Arkansas Code § 14-47-140(d), concerning special elections
22 for mayor, is amended to read as follows:

23 (d) The special election shall be held ~~not less than thirty (30) days~~
24 ~~nor more than one hundred twenty (120) days after the proclamation at the~~
25 next special election date under § 7-11-304.

26
27 SECTION 16. Arkansas Code § 14-48-104(b), concerning special elections
28 after submission of governmental form question to electors, is amended to
29 read as follows: is amended to read as follows:

30 (b) If the number of signatures certified by the clerk is equal to or
31 greater than fifteen percent (15%) of the aggregate number of votes cast, as
32 prescribed, the Secretary of State shall call the election by proclamation ~~in~~
33 ~~accordance with,~~ and an election shall be held under § 7-11-201 et seq. ~~a~~
34 ~~special election to be held not more than ninety (90) days from the date of~~
35 ~~the clerk's certification.~~

36

1 SECTION 17. Arkansas Code § 14-48-114(b)(3), concerning removal of
2 mayors or directors in city administrator cities, is amended to read as
3 follows:

4 (3) The county board of election commissioners shall issue a
5 proclamation in accordance with § 7-11-201 et seq., calling a special
6 election on the question and shall fix a date for holding it ~~not more than~~
7 ~~ninety (90) days from~~ on the next special election date under § 7-11-304
8 after the date of the certification of the petitions by the clerk;

9
10 SECTION 18. Arkansas Code § 14-57-704(a)(2), concerning special
11 elections for the levy of a vehicle tax, is amended to read as follows:

12 (2) ~~This~~ The election shall be held ~~not more than ninety (90)~~
13 ~~days from the date of the publication of the proclamation, at which the~~
14 ~~qualified electors of the city or town shall vote on the question of the levy~~
15 ~~of the tax~~ at the next special election date under § 7-11-304.

16
17 SECTION 19. Arkansas Code § 14-61-113(1)(C), concerning special
18 elections called by peitition, is amended to read as follows:

19 (C) The special election shall be held ~~not more than sixty~~
20 ~~(60) days~~ at the next special election date under § 7-11-304 after the
21 proclamation calling the election, ~~provided that if the county board of~~
22 ~~election commissioners certifies in writing that it cannot prepare the~~
23 ~~ballots because of other pending elections, then the election can be held not~~
24 ~~more than ninety (90) days after the proclamation;~~

25
26 SECTION 20. Arkansas Code § 14-120-102(a), concerning elections in
27 certain combination levee and drainage districts, is amended to read as
28 follows:

29 (a)(1) ~~There~~ An election shall be held ~~an election~~ annually on the
30 Tuesday next after the first Monday in May in all combination levee and
31 drainage districts where the boundaries of the districts embrace all of the
32 lands within the corporate limits of a city of the first class and no lands
33 situated more than three (3) miles from the corporate limits, for the
34 election of one (1) member of the board of improvement.

35 (2) The judges of the election ~~are to~~ shall be appointed by the
36 county board of election commissioners.

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SECTION 21. Arkansas Code § 14-122-104 is amended to read as follows:

14-122-104. Filing referendum petitions – Special election.

If petitions signed by not less than fifteen percent (15%) of the qualified electors voting on the office of mayor in the city at the last preceding general election are filed with the city clerk of the city within forty-five (45) days after the enactment of the ordinance creating the municipal drainage improvement district requesting that the ordinance be referred to a vote of the qualified electors of the district, the petitions shall be referred to the people at a special election to be called by the mayor of the municipality in accordance with § 7-11-201 et seq. to be held ~~not more than ninety (90) days after the proclamation~~ at the next special election date under § 7-11-304.

SECTION 22. Arkansas Code § 14-125-302(c)(2)(A), concerning election dates for board of directors of conservation districts, is amended to read as follows:

(A) On the first Tuesday in March, 2000, and ~~on the first Tuesday in March~~ every third year thereafter on the date the preferential primary is held or, if no preferential primary is held, on the Tuesday next after the first Monday in May, in those districts ~~which~~ that have the greatest amount of district territory in the following counties:

Boone	Little River
Carroll	Logan
Clark	Lonoke
Clay	Poinsett
Cleburne	Polk
Cleveland	Saline
Columbia	Scott
Conway	Searcy
Crawford	St. Francis
Cross	White
Fulton	Woodruff
Greene	Yell
Jefferson	

1 SECTION 23. Arkansas Code § 14-201-316(a), concerning election of
2 members of the board of public utilities, is amended to read as follows:

3 (a) In all cities and towns where a board of public utilities ~~shall be~~
4 is created under ~~the provisions of~~ this subchapter, there shall be held, ~~on a~~
5 ~~day to be designated by the county board of election commissioners not less~~
6 ~~than thirty (30) days nor more than sixty (60) days~~ at the next special
7 election date under § 7-11-304 before the expiration of the term of office of
8 any member of the board of public utilities, an election for the purpose of
9 electing a member of the board to succeed the outgoing member.

10
11 SECTION 24. Arkansas Code § 14-284-212(g)(2)(B), concerning elections
12 to approve increased assessments in fire protection districts outside of
13 cities and towns, is amended to read as follows:

14 (B) The election called by the elected board of
15 commissioners for an increase in the flat fee assessment shall be held ~~within~~
16 ~~ninety (90) days~~ at the next special election date under § 7-11-304 after the
17 board of commissioners' meeting that approves the assessment increase.

18
19 SECTION 25. Arkansas Code § 14-286-103(a), concerning special
20 elections on the question of the establishment and financing of a red
21 imported fire ant abatement district, is amended to read as follows:

22 (a) The special election called by the county court to submit the
23 question of the establishment and financing of a red imported fire ant
24 abatement district to the electors of the proposed district shall be held in
25 accordance with § 7-11-201 et seq. ~~no later than ninety (90) days after the~~
26 ~~proclamation of the election and~~ at the next special election date under § 7-
27 11-304.

28
29 SECTION 26. Arkansas Code § 14-386-403(a), concerning elections on
30 enclosures in fencing districts, is amended to read as follows:

31 (a) The county court shall in the same publication prescribed by § 14-
32 386-402 give notice of and cause an election to be held ~~within thirty (30)~~
33 ~~days of~~ on the next special election date under § 7-11-304 after the date of
34 the filing of the petition, in the townships or parts of townships included
35 in the petition, where the question of the creation of the proposed fencing
36 district shall be submitted to the qualified electors living or owning land

1 in the proposed district.

2
3 SECTION 27. Arkansas Code § 15-43-204(a)(1), concerning local
4 elections to redetermine doe killing areas, is amended to read as follows:

5 (a)(1) Whenever fifty (50) or more qualified electors residing within
6 an area wholly or partly located within their particular county that has been
7 designated by regulation of the Arkansas State Game and Fish Commission as a
8 doe-killing area petition the appropriate county court, ~~praying~~ requesting
9 that an election be held to determine whether or not such an area or portion
10 thereof should remain a doe-killing area, the county court shall order a
11 special election in accordance with § 7-11-201 et seq. to be held ~~not more~~
12 ~~than ninety (90) days after the date of filing of the petition~~ at the next
13 special election date under § 7-11-304.

14
15 SECTION 28. Arkansas Code § 23-111-306(b)(1), concerning referendum
16 elections on continuing greyhound racing, is amended to read as follows:

17 (b)(1) The date of the special election shall be fixed by the ~~board on~~
18 ~~a day not more than ninety (90) days following the date of filing the~~
19 ~~petitions~~ under § 7-11-304. The deposit of the funds as provided in
20 subsection (a) of this section and the election shall be conducted and shall
21 be subject to contest under the general election laws of this state.

22
23 SECTION 29. Arkansas Code § 23-113-201(a)(2)(E), concerning elections
24 to conduct wagering on electronic games of skill, is amended to read as
25 follows:

26 (E) The election shall be held ~~no earlier than thirty-one~~
27 ~~(31) calendar days, and no later than one hundred twenty (120) calendar days,~~
28 ~~after the effective date of the ordinance in which the election is called by~~
29 ~~the governing body~~ at the next special election date after the ordinance is
30 filed under § 7-11-304.

31
32 SECTION 30. Arkansas Code § 26-52-605(b), concerning special election
33 for equalization of taxes for border cities and towns, is amended to read as
34 follows:

35 (b) The special election shall be called ~~not later than one hundred~~
36 ~~twenty (120) days~~ for the next special election date under § 7-11-304

1 following the adoption of the ordinance by the governing body of the city or
2 town, or the filing of a petition requesting the special election.

3
4 SECTION 31. Arkansas Code § 26-73-111(c), concerning special local
5 sales and use tax elections, is amended to read as follows:

6 (c) The special election shall be called for ~~a date not later than one~~
7 ~~hundred twenty (120) days from the date of the action of the governing body~~
8 ~~in establishing the date of the~~ next special election date under § 7-11-304.

9
10 SECTION 32. Arkansas Code § 26-74-207(a)(2), concerning special
11 election on sales and use tax for capital improvements, is amended to read as
12 follows:

13 (2) The election shall be held ~~within one hundred twenty (120)~~
14 ~~days of the ordinance calling the election~~ on the next special election date
15 under § 7-11-304.

16
17 SECTION 33. Arkansas Code § 26-74-307(a)(2), concerning special
18 elections on sales tax for capital improvements, is amended to read as
19 follows:

20 (2) The election shall be held ~~within one hundred twenty (120)~~
21 ~~days of the ordinance calling the election~~ on the next special election date
22 under § 7-11-304.

23
24 SECTION 34. Arkansas Code § 26-74-402(a), concerning special elections
25 for sales and use tax for counties without an existing tax, is amended to
26 read as follows:

27 (a) The county quorum court of any county not having a countywide one
28 percent (1%) sales and use tax on March 14, 1991, may call an election for
29 the levy of a one-half percent (0.5%) countywide sales and use tax for any
30 purpose for which the county general fund or county road fund may be used
31 including allocating portions of this tax to the municipalities located
32 therein. The election shall be held ~~within one hundred twenty (120) days of~~
33 ~~the ordinance calling the election~~ on the next special election date under §
34 7-11-304.

35
36 SECTION 35. Arkansas Code § 26-74-502(a), concerning special elections

1 for sales and use tax for counties without an existing tax, is amended to
2 read as follows:

3 (a) If petitions are filed requesting an election for an initiated
4 ordinance levying the tax authorized under this subchapter, the quorum court
5 shall submit the question of the levying of the tax to the electors. The
6 petitions must be signed by not less than five hundred (500) electors of the
7 county. The election shall be held ~~within one hundred twenty (120) days of~~ on
8 the next special election date under § 7-11-304 after the filing of the
9 petitions. The tax shall be levied upon approval of a majority of the
10 qualified electors voting on the issue at the election.

11

12 SECTION 36. Arkansas Code § 26-75-208(a)(2), concerning special
13 elections on sales and use taxes, is amended to read as follows:

14 (2) The special election shall be called ~~for a date no later~~
15 ~~than one hundred twenty (120) days from after the date of action of the~~
16 ~~governing body in establishing the date of the special election~~ for the next
17 special election date under § 7-11-304.

18

19 SECTION 37. Arkansas Code § 26-75-213(a)(3)(B), concerning municipal
20 sales and use taxes, is amended to read as follows:

21 (B) If the petition is found to be sufficient, the
22 question shall be submitted to the electors ~~at a special election on a date~~
23 ~~as may be requested by the petition~~ the next special election date under § 7-
24 11-304 after certification of the sufficiency of the petition to the
25 governing body of the city.

26

27

28 SECTION 38. Arkansas Code § 26-75-213(a)(4), concerning municipal
29 sales and use taxes, is amended to read as follows:

30 (4) The special election shall be called in accordance with § 7-
31 11-201 et seq. ~~for a date not more than ninety (90) days from after the date~~
32 ~~on which the city clerk certifies the sufficiency of the petition to the~~
33 ~~governing body of the city.~~

34

35 SECTION 39. Arkansas Code § 26-75-308(a)(2), concerning municipal
36 sales and use taxes, is amended to read as follows:

1 (2) ~~The special election shall be called for a date no later~~
2 ~~than one hundred twenty (120) days from the date of action of the governing~~
3 ~~body in establishing the date of special election~~ the next special election
4 date under § 7-11-304.

5
6 SECTION 40. Arkansas Code § 26-75-404(a)(2), concerning calling of a
7 special election for a temporary tax for acquisition, construction, or
8 improvement of parks, is amended to read as follows:

9 (2) If the ordinance provides for submitting the question at a
10 special election, the election shall be called in accordance with § 7-11-201
11 et seq. ~~for a date not more than ninety (90) days from the date of the~~
12 ~~adoption of the ordinance calling the special election~~ the next special
13 election date under § 7-11-304.

14
15 SECTION 41. Arkansas Code § 26-75-503(b), concerning special elections
16 on a gross receipts tax, is amended to read as follows:

17 (b) An election shall be held in the levying city on the question of
18 whether the ordinance shall become effective ~~within sixty (60) days after the~~
19 ~~receipt of a certified copy of the ordinance~~ on the next special election
20 date under § 7-11-304 and shall be conducted in the manner prescribed by law
21 for holding state, county, or municipal elections, so far as the manner may
22 be applicable.

23
24 SECTION 42. Arkansas Code § 26-78-103(b)(1), concerning county and
25 municipal motor vehicle tax, is amended to read as follows:

26 (b)(1) Notwithstanding other provisions of this chapter, before the
27 tax levied by any county quorum court upon owners residing everywhere in the
28 county or only upon owners residing within the county but outside the
29 corporate boundaries of all municipalities in the county may be collected,
30 the county court shall call a special election in accordance with § 7-11-201
31 et seq. upon the first levy of the tax by the county quorum court, to be held
32 ~~not more than ninety (90) days from the date of the adoption of the levy of~~
33 ~~the tax by the quorum court~~ on the next special election date under § 7-11-
34 304, at which election the qualified electors of the area to be affected by
35 the tax shall vote on the question of the levy of the tax.

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1 SECTION 43. Arkansas Code § 26-78-111(c), concerning special elections
2 on county and municipal motor vehicle tax, is amended to read as follows:

3 (c) The ordinance or order shall specifically state the purpose for
4 which the bonds are to be issued, the total amount of the issue, and the date
5 upon which the election is to be held, which date shall ~~not occur earlier~~
6 ~~than thirty (30) days after the passage of the ordinance or the entering of~~
7 ~~the order~~ be on the next special election date under § 7-11-304.

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9 SECTION 44. DO NOT CODIFY. Applicability.

10 This act shall become effective contingent upon sufficient
11 appropriation and funding, and the implementation of adequate and updated
12 voting equipment throughout the counties of this state.

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14 /s/Gonzales
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