

Hall of the House of Representatives

89th General Assembly - Regular Session, 2013

Amendment Form

Subtitle of House Bill No. 2186

TO CREATE THE ELECTION EFFICIENCY ACT OF 2013.

Amendment No. 1 to House Bill No. 2186

Amend House Bill No. 2186 as originally introduced:

Add Senator E. Williams as a cosponsor of the bill

AND

Page 1, delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 6-14-101 is amended to read as follows:

6-14-101. Annual school election date – Applicability of general election laws.

(a)(1) In an even-numbered year the annual school election shall be held in conjunction with the general election under § 7-5-102.

(2) An annual school election held in conjunction with a general election:

(A) Is subject to § 6-14-111(a), § 6-14-116, § 6-14-118, and § 6-14-122; and

(B) Is not subject to the remaining provisions of this subchapter.

(b) In an odd-numbered year, the annual school election shall be held as provided in this subchapter on the Tuesday next after the first Monday in November.

(c) The general election laws shall apply to school elections insofar as they are not in conflict with ~~the school election laws~~ this subchapter.

SECTION 2. Arkansas Code § 6-14-102 is amended to read as follows:

6-14-102. Annual school election ~~date~~ – Special school election.

~~(a)(1) The annual school election shall be held in each school district of the state on the third Tuesday in September.~~

(2) The annual school election shall ~~only~~ concern only issues related to the school district that are authorized to be on the ballot by the Arkansas Constitution or by statute, ~~and no other issues shall appear on the ballot.~~

(2) If the annual school election issues are included on a special election ballot that contains issues unrelated to school district issues, the annual school election issues shall be set apart and clearly designated as being for the annual school election.



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

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

(2) The election is held before the date of the annual school election for that calendar year; and

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

(c)(1) In ~~any an~~ an election year or special election under this section, if no more than one (1) candidate for any school district director position presents a petition or notice as required by § 6-14-111 and if there are no other ballot issues to be submitted to school district electors for consideration, with the exception of the local tax rate if that rate is not being changed or restructured, the board of directors of any school district, by resolution, may request the county board of election commissioners to reduce the number of polling places or to open no polling places on election day so that the election can be conducted by absentee ballot and early voting only.

(2)(A) If requested by proper resolution adopted by the board of directors of any school district, the county board of election commissioners may provide that no polling places be open on an election day under this section so that the election can be conducted by absentee ballot and early voting only.

(B) In a county that uses voting machines or electronic vote tabulating devices, for an election under this section, the county board of election commissioners may choose to use paper ballots counted by hand and may provide that no voting machines shall be used in the election, notwithstanding any other provision in the Arkansas Code.

SECTION 3. Arkansas Code § 6-14-106(a)(4), concerning polling places for school elections, are amended to read as follows:

~~(4)(A)~~ The polling sites for each school election shall be ~~the same as those established for the immediately preceding school election unless changed~~ established by order of the county board of election commissioners.

~~(B) Each polling site for a school district's annual school election shall be located within the school district.~~

SECTION 4. Arkansas Code § 6-14-118 is amended to read as follows:
6-14-118. Expenses.

(a)(1)(A) In school elections held under § 6-14-102 at which only school election issues are on the ballot, the school districts in the county shall reimburse the county for the cost of the election less expenses incurred for election officials at individual polling places, with each school district's share of the total being determined by multiplying the total cost of the election by a fraction, the numerator of which is the number of votes cast in the specific school election and the denominator of which is the total number of votes cast in the entire election.

~~(2)(B)~~ Expenses incurred for election officials at

individual polling places shall be paid by the school district in which the polling place is located.

(2)(A) For a school election that is held in conjunction with an election for the consideration of issues other than school election issues, a school district shall reimburse the county for expenses incurred in the election that are related to the school election, with each school district's share of the total being determined by:

(i) Multiplying the total cost of the election, less expenses incurred for election officials at individual polling places, by a fraction, the numerator of which is the number of issues in the specific school district's school election and the denominator of which is the total number of issues in the entire election; and

(ii) Adding to the cost determined under subdivision (a)(1)(B) of this section the expenses incurred for election officials at individual polling places within a school district that are designated only for the school election.

(B) For an election held under this subdivision (a)(2), if the county board of election commissioners includes the school election on a separate ballot as authorized by law, the school district shall reimburse the county for:

(i) The cost of printing and programming the separate ballot; and

(ii) The cost of any additional poll workers and election supplies that the county board of election commissioners certifies to be necessary to process the separate ballot.

(b) ~~At all annual or special elections, the~~ The board of directors of each school district shall pay the expenses of the election under this section out of the school fund.

SECTION 5. Arkansas Code § 6-14-121(a)(1), concerning school district runoff elections, is amended to read as follows:

(a)(1) Whenever there are more than two (2) candidates for election to any position on a board of directors at ~~any election held in this state~~ an election held under § 6-14-102, and whenever no candidate for any school district position receives a majority of the votes cast for the office or whenever there is a tie vote, there shall be a runoff election held ~~in~~ for the school district.

SECTION 6. Arkansas Code § 6-14-122(b), concerning school elections for consolidation, annexation, or merger of school districts, is amended to read as follows:

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

The Amendment was read _____
By: Representative Bell

