

Department of Finance and Administration

Legislative Impact Statement

Bill: HB2186

Bill Subtitle: TO CREATE THE ELECTION EFFICIENCY ACT OF 2013.

Basic Change :

Representative Bell

The proposal amends various code sections governing the dates and procedures for calling special elections for local city and county issues. The proposal establishes a uniform procedure for all special elections. The procedures for calling an election for local tax levies has language removed which required the election be held within one hundred twenty (120) days of the date of the action which calls for the election. This language has been replaced with references to a new code section, Ark. Code Ann. § 7-11-304, which establishes that for all special elections, the ordinance must provide for the date of the election and must be filed at least 120 days before the election is held. If the special election is held in a year with a preferential primary election or a general election, the special election must be held at the same time. If a special election is called in a year in which a preferential primary election or general election is not held, the election must be held on the first Tuesday after the first Monday in either May or November.

This bill does not alter the current process for conducting local sales and use tax elections.

Revenue Impact :

None

Taxpayer Impact :

None

Resources Required :

None

Time Required :

Adequate time is allowed in the proposal

Procedural Changes :

None

Legal Analysis :

HB2186 amends certain code sections that generally require actions with respect to an election in terms of a certain number of days following an event. This bill repeals the number of days and substitutes, in most cases, a statement that the election will be held under the applicable code section.

For local tax elections, the pertinent code reference is "under § 7-11-201 et seq."

Effective October 2, 2011, § 7-11-205 provides that special elections will be held on the second Tuesday of any month, with certain exceptions including a special election held in the month of a preferential primary election or general election, which will be held on the date of that election. The section also addresses when the election will be held if the second Tuesday is a legal holiday and similar occurrences.

The bill has an effective date of January 1, 2014.