

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

# A Bill

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

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15 "TO AUTHORIZE A CHANGE IN THE DATE OF  
16 THE ANNUAL SCHOOL ELECTION WHEN THERE IS  
17 NO MORE THAN ONE CANDIDATE FOR THE LOCAL  
18 BOARD OR COUNTY BOARD AND NO OTHER  
19 BALLOT ISSUES."  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

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

27 (a) The annual school election shall be held in each school district  
28 of 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  
31 a petition or notice in writing to the county board of election commissioners  
32 as required by § 6-14-111, and there are no other ballot issues to be  
33 submitted to district electors for consideration, the board of directors of  
34 any school district may, by resolution duly adopted, request the county board  
35 of election commissioners to change the date of the annual school election to

1 coincide with that of the general election.

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

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

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

20 (f) The board of directors of any school district that will lose state  
21 aid because of a court decision or legislation enacted by the General  
22 Assembly shall have authority, no less than sixty (60) days after the court's  
23 decision or effective date of the legislation, to change the date of the  
24 annual school election to consider a millage increase."

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26 SECTION 2. All provisions of this act of a general and permanent  
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
28 Code Revision Commission shall incorporate the same in the Code.

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

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1 SECTION 4. All laws and parts of laws in conflict with this act are  
2 hereby repealed.

3 /s/Rep. Lancaster, et al  
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