

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1581

4  
5 By: Representative W. Walker  
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## For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 6-14-102 CONCERNING THE  
10 DATE OF SCHOOL ELECTIONS; AND FOR OTHER PURPOSES."

## Subtitle

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13 "AN ACT CONCERNING THE DATE OF SCHOOL  
14 ELECTIONS."

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

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19 SECTION 1. Arkansas Code 6-14-102 is amended to read as follows:

20 "6-14-102. Annual school election date - Special school election.

21 (a) The annual school election shall be held in each school district of  
22 the state on the ~~third Tuesday in September~~ Tuesday next after the first  
23 Monday in November.

24 (b) The board of directors of any school district shall have the  
25 authority to hold the annual school election on a date other than that fixed  
26 by law, provided that:

27 (1) The proposed budget of expenditures for the previous year, as  
28 published, incorrectly stated a proposed expenditure or rate of tax levy, as  
29 set forth in a certificate or certificates signed by each member of the board  
30 of directors, or was not published within the time required by law; or

31 (2) The district has suffered damage to its physical facilities  
32 in an amount exceeding one hundred twenty-five thousand dollars (\$125,000) as  
33 a result of fire or other natural disaster and the board of directors has  
34 determined that the proceeds of insurance on those facilities will be  
35 insufficient to restore or replace the facilities; or

36 (3) The district will lose state aid because of a court decision

1 or legislation enacted by the General Assembly and the board of directors  
 2 takes action to change the date of the annual school election to consider a  
 3 millage increase no less than sixty (60) days after the court's decision or  
 4 effective date of the legislation; and

5 (4) All constitutional and statutory requirements for the annual  
 6 school election are met; and

7 (5) The date of the election is approved by the Director of  
 8 General Education.

9 ~~(c) In an even-numbered year, if no more than one (1) candidate for~~  
 10 ~~school district director or member of the county board of education presents a~~  
 11 ~~petition or notice in writing to the county board of election commissioners as~~  
 12 ~~required by § 6-14-111, and there are no other ballot issues to be submitted~~  
 13 ~~to district electors for consideration, the board of directors of any school~~  
 14 ~~district may, by resolution duly adopted, request the county board of election~~  
 15 ~~commissioners to change the date of the annual school election to coincide~~  
 16 ~~with that of the general election.~~

17 ~~(d)(c)(1) [As enacted by Acts 1997, No. 545.]~~ In any election year, if  
 18 no more than one (1) candidate for school district director or member of the  
 19 county board of education presents a petition or notice in writing to the  
 20 county board of election commissioners as required by § 6-14-111, and there  
 21 are no other ballot issues to be submitted to district electors for  
 22 consideration, the board of directors of any school district may, by  
 23 resolution duly adopted, request the county board of election commissioners to  
 24 reduce the number of polling places.

25 (2) The county board of election commissioners shall provide at  
 26 least one (1) polling place.

27 (3) In a county that uses voting machines or electronic voting,  
 28 the county board of election commissioners may choose to use paper ballots for  
 29 the election.

30 ~~(d) [As enacted by Acts 1997, No. 1120.]~~ The board of directors of any  
 31 school district shall have the authority to request the county board of  
 32 education to call a special election for the purpose of considering a rate of  
 33 tax for additional millages for maintenance and operations or debt service as  
 34 authorized by Arkansas Constitution, Amendment 74, provided that:

35 (1) All constitutional and statutory requirements for a special  
 36 school election are met; and

1           (2) The date of the election is approved by the Director of  
2 General Education.”

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

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

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

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