

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 1025

4
5 By: Senator Madison
6 By: Representative Edwards

For An Act To Be Entitled

10 AN ACT CONCERNING THE DAY ON WHICH SPECIAL
11 ELECTIONS SHALL OCCUR IN THE STATE OF ARKANSAS;
12 AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT CONCERNING THE DAY ON WHICH
16 SPECIAL ELECTIONS SHALL OCCUR IN THE
17 STATE OF ARKANSAS.

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

25 (b)(1) Immediately upon the submission of the petition to the county
26 court or courts, the court or courts shall notify the county board or boards
27 of election commissioners in writing, and the county board or boards of
28 election commissioners shall call a special election to be held not less than
29 ~~forty five (45)~~ thirty (30) days nor more than sixty (60) days after the
30 filing of the petition. This election shall be held for the purpose of
31 submitting to the landowners of the proposed district the question of whether
32 the district shall be established, and the provisions of this subchapter
33 shall be enforced in the district.

34 (2)(A) The special election shall occur on the second Tuesday of
35 any month, except as provided in subdivision (b)(2)(B) of this section.

36 (B)(i)(a) Special elections held in months in which a



1 presidential preferential primary election, preferential primary election, or
 2 general election is scheduled to occur shall be held on the date of the
 3 presidential preferential primary election, preferential primary election, or
 4 general election.

5 (b)(1)(A) If a special election is held on the
 6 date of the presidential preferential primary election or preferential
 7 primary election, the issue or issues to be voted upon at the special
 8 election shall be included on the ballot of each political party.

9 (B) However, separate ballots
 10 containing only the issue or issues to be voted upon at the special election
 11 shall be prepared and made available to voters requesting a separate ballot.

12 (2) No voter shall be required to vote
 13 in a political party's presidential preferential primary or preferential
 14 primary in order to be able to vote in the special election.

15 (ii) Special elections scheduled to occur in a month
 16 in which the second Tuesday is a legal holiday shall be held on the third
 17 Tuesday of the month.

18
 19 SECTION 2. Arkansas Code § 3-9-206(b)(1) and (2), concerning special
 20 elections on the issue of on-premises consumption of alcoholic beverages, is
 21 amended to read as follows:

22 (b)(1) The election shall be held and conducted and the results
 23 certified under the supervision of the county board of election commissioners
 24 in the manner provided by the election laws of this state.

25 (2)(A) The county board shall fix the date of the election not
 26 less than thirty (30) days nor more than sixty (60) days from the date the
 27 election was called pursuant to subdivision (a)(1) or (a)(2) of this section
 28 and give notice thereof by publication in a newspaper of general circulation
 29 in the city or county by at least two (2) insertions, the last being not less
 30 than ten (10) days prior to the election.

31 (B)(i) The election shall occur on the second Tuesday of
 32 any month, except as provided in subdivision (b)(2)(B)(ii) of this section.

33 (ii)(a)(1) Elections held in months in which a
 34 presidential preferential primary election, preferential primary election, or
 35 general election is scheduled to occur shall be held on the date of the
 36 presidential preferential primary election, preferential primary election, or

1 general election.

2 (2)(A)(i) If an election is held on the
 3 date of the presidential preferential primary election or preferential
 4 primary election, the issue or issues to be voted upon at the election shall
 5 be included on the ballot of each political party.

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

9 (B) No voter shall be required to
 10 vote in a political party's presidential preferential primary or preferential
 11 primary in order to be able to vote in the election.

12 (b) Elections scheduled to occur in a month in
 13 which the second Tuesday is a legal holiday shall be held on the third
 14 Tuesday of the month.

15
 16 SECTION 3. Arkansas Code § 6-14-102(d), concerning special elections
 17 for the purpose of considering a rate of tax for additional millages for
 18 maintenance and operations or for debt service, is amended to read as
 19 follows:

20 (d) The board of directors of any school district shall have the
 21 authority to request the county board of election commissioners to call a
 22 special election for the purpose of considering a rate of tax for additional
 23 millages for maintenance and operations or for debt service as authorized by
 24 Arkansas Constitution, Amendment 74, provided that:

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

27 (2) The date of the election is approved by the director; and

28 (3)(A) The special election is held on the second Tuesday of any
 29 month, except as provided in subdivision (d)(3)(B) of this section.

30 (B)(i)(a) Special elections held in months in which a
 31 presidential preferential primary election, preferential primary election, or
 32 general election is scheduled to occur shall be held on the date of the
 33 preferential primary election or general election.

34 (b)(1)(A) If a special election is held on the
 35 date of the presidential preferential primary election or preferential
 36 primary election, the issue or issues to be voted upon at the special

1 election shall be included on the ballot of each political party.

2 (B) However, separate ballots
 3 containing only the issue or issues to be voted upon at the special election
 4 shall be prepared and made available to voters requesting a separate ballot.

5 (2) No voter shall be required to vote
 6 in a political party's presidential preferential primary or preferential
 7 primary in order to be able to vote in the special election.

8 (ii) Special elections scheduled to occur in a month
 9 in which the second Tuesday is a legal holiday shall be held on the third
 10 Tuesday of the month.

11
 12 SECTION 4. Arkansas Code § 6-14-105 is amended to read as follows:

13 6-14-105. Special election on petition of school district board of
 14 directors.

15 (a) If the board of directors of a school district deems it advisable
 16 to hold a special election in the district, the board of directors shall
 17 present a petition to the county court of the county of its domicile.

18 (b)(1) If the county court approves of the petition, it shall enter an
 19 order fixing a day for the special election not earlier than thirty (30) days
 20 after the date of the order.

21 (2)(A) The county court shall set the date for the special
 22 election so that the special election is held on the second Tuesday of any
 23 month, except as provided in subdivision (b)(2)(B) of this section.

24 (B)(i)(a) Special elections held in months in which a
 25 presidential preferential primary election, preferential primary election, or
 26 general election is scheduled to occur shall be held on the date of the
 27 presidential preferential primary election, preferential primary election, or
 28 general election.

29 (b)(1)(A) If a special election is held on the
 30 date of the presidential preferential primary election or preferential
 31 primary election, the issue or issues to be voted upon at the special
 32 election shall be included on the ballot of each political party.

33 (B) However, separate ballots
 34 containing only the issue or issues to be voted upon at the special election
 35 shall be prepared and made available to voters requesting a separate ballot.

36 (2) No voter shall be required to vote

1 in a political party's presidential preferential primary or preferential
 2 primary in order to be able to vote in the special election.

3 (ii) Special elections scheduled to occur in a month
 4 in which the second Tuesday is a legal holiday shall be held on the third
 5 Tuesday of the month.

6
 7 SECTION 5. Arkansas Code § 6-14-122(d), concerning special elections
 8 on consolidation or annexation, is amended to read as follows:

9 (d)(1) The special election on consolidation or annexation shall be
 10 held by the same officials at the same polling places, and the returns shall
 11 be made, canvassed, and published in the same manner as is provided by law
 12 for annual school elections.

13 (2)(A) The special election shall occur on the second Tuesday of
 14 any month, except as provided in subdivision (d)(2)(B) of this section.

15 (B)(i)(a) Special elections held in months in which a
 16 presidential preferential primary election, preferential primary election, or
 17 general election is scheduled to occur shall be held on the date of the
 18 preferential primary or general election.

19 (b)(1)(A) If a special election is held on the
 20 date of the presidential preferential primary election or preferential
 21 primary election, the issue or issues to be voted upon at the special
 22 election shall be included on the ballot of each political party.

23 (B) However, separate ballots
 24 containing only the issue or issues to be voted upon at the special election
 25 shall be prepared and made available to voters requesting a separate ballot.

26 (2) No voter shall be required to vote
 27 in a political party's presidential preferential primary or preferential
 28 primary in order to be able to vote in the special election.

29 (ii) Special elections scheduled to occur in a month
 30 in which the second Tuesday is a legal holiday shall be held on the third
 31 Tuesday of the month.

32
 33 SECTION 6. Arkansas Code § 6-53-307 is amended to read as follows:

34 6-53-307. County support of technical colleges.

35 (a)(1) Any county quorum court may designate all or any portion of any
 36 undedicated county sales or use tax to be used for capital improvements to or

1 the maintenance and operation of any technical college, two-year college,
2 community college, or satellite campus of a community college.

3 (2)(A) In the alternative, the quorum court may refer to a vote
4 of the people at any general or special election the issue of dedicating all
5 or a portion of any undedicated county sales or use tax to any technical
6 college, community college, two-year college, or satellite campus of a
7 community college to be used for capital improvements to or the maintenance
8 and operation of the technical college, community college, two-year college,
9 or satellite campus of a community college.

10 (B) If the voters dedicate all or a portion of the tax, it
11 shall remain so dedicated until the voters decide otherwise.

12 (b) When the quorum court calls an election on the issue of the levy
13 of any county sales or use tax, it may also cause to be placed on the ballot
14 the issue of dedicating all or a portion of the tax for capital improvements
15 to or the maintenance and operation of any technical college, community
16 college, two-year college, or satellite campus of a community college.

17 (c) If a technical college, community college, two-year college, or
18 satellite campus of a community college for which a tax is dedicated or
19 levied under this section thereafter becomes a branch of an existing
20 institution of higher education, the tax dedicated or levied under this
21 section shall continue to be dedicated and levied for the use and benefit of
22 the branch unless reduced or repealed as authorized under this section.

23 (d) A county sales or use tax dedicated or levied under this section
24 may also be dedicated or levied in part for capital improvements to or the
25 maintenance and operation of any public institution of higher education
26 located in the county.

27 (e)(1) Any election called by the quorum court pursuant to this
28 section shall occur on the second Tuesday of any month, except as provided in
29 subdivision (e)(2) of this section.

30 (2)(A)(i) Elections held in months in which a presidential
31 preferential primary election, preferential primary election, or general
32 election is scheduled to occur shall be held on the date of the presidential
33 preferential primary, preferential primary, or general election.

34 (ii)(a)(1) If an election is held on the date of the
35 presidential preferential primary election or preferential primary election,
36 the issue or issues to be voted upon at the election shall be included on the

1 ballot of each political party.

2 (2) However, separate ballots containing
 3 only the issue or issues to be voted upon at the election shall be prepared
 4 and made available to voters requesting a separate ballot.

5 (b) No voter shall be required to vote in a
 6 political party's presidential preferential primary or preferential primary
 7 in order to be able to vote in the election.

8 (B) Elections scheduled to occur in a month in which the
 9 second Tuesday is a legal holiday shall be held on the third Tuesday of the
 10 month.

11
 12 SECTION 7. Arkansas Code § 6-53-602 is amended to read as follows:
 13 6-53-602. Formation of a proposed district.

14 (a)(1) Upon request of the local board of a technical college, or the
 15 Arkansas Higher Education Coordinating Board acting as a local board of a
 16 technical college, the coordinating board shall determine whether formation
 17 of a proposed technical college district is feasible according to criteria
 18 established by the coordinating board for the formation of a technical
 19 college district.

20 (2) The boundaries of the technical college district are to be
 21 determined by the local board, or the coordinating board acting as the local
 22 board.

23 (b)(1) Within ten (10) calendar days after the coordinating board
 24 determines that the formation of a proposed district is feasible, the local
 25 board, or the coordinating board acting as the local board, shall notify the
 26 county board of election commissioners in each county of which any portion is
 27 in the proposed technical college district that an election will be held to
 28 determine whether the district shall be formed and whether an ad valorem tax
 29 shall be levied on property in the district to fund site acquisition,
 30 construction, equipping, and operation of the college.

31 (2)(A) The local board or acting local board shall set a date
 32 for the election to be held at a time not less than thirty (30) calendar days
 33 after the local board or acting local board notifies the county boards.

34 (B)(i) The election shall occur on the second Tuesday of
 35 any month, except as provided in subdivision (b)(2)(B)(ii) of this section.

36 (ii)(a)(1) Elections held in months in which a

1 presidential preferential primary election, preferential primary election, or
2 general election is scheduled to occur shall be held on the date of the
3 presidential preferential primary election, preferential primary election, or
4 general election.

5 (2)(A)(i) If an election is held on the
6 date of the presidential preferential primary election or preferential
7 primary election, the issue or issues to be voted upon at the election shall
8 be included on the ballot of each political party.

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

12 (B) No voter shall be required to
13 vote in a political party's presidential preferential primary or preferential
14 primary in order to be able to vote in the special election.

15 (b) Elections scheduled to occur in a month in
16 which the second Tuesday is a legal holiday shall be held on the third
17 Tuesday of the month.

18 (3) The local board or acting local board shall specify the
19 wording of the ballot to be used for the elections utilizing appropriate
20 language similar to that found in § 6-61-513(c), and the county boards of
21 election commissioners shall conduct the election in the manner provided by
22 law for special elections.

23 (c)(1) Except as provided in subdivision (c)(2) of this section, if
24 the establishment of a proposed technical college district fails because of
25 an adverse vote by a majority of the qualified electors of the proposed
26 district voting thereon at the election, no new election for the
27 establishment thereof shall be held within a period of one (1) year after the
28 date of the election.

29 (2)(A) If the formation of a proposed technical college district
30 fails and the majority of votes cast in one (1) or more counties or cities in
31 a proposed district were against the formation of the district, the local
32 board or acting local board may notify the county boards of election
33 commissioners that an election will be held on the issue of forming a
34 proposed district that does not include the county, city, counties, or cities
35 in which the issue failed.

36 (B) The local board or acting local board shall set a date

1 for the election to be held no less than thirty (30) calendar days after the
2 local board or acting local board notifies the county boards.

3 (C) The procedures for an election to form a proposed
4 reconstituted district shall be identical to the procedures for an election
5 to establish a technical college district.

6 (d)(1) If the local board or acting local board of a technical college
7 determines that the question of a tax levy in the technical college district
8 should be submitted to the electors after the district is formed, it shall
9 certify the millage requested to the county board of election commissioners
10 of each county of which any portion is in the technical college district.

11 (2) The county boards shall place the question of the levy on
12 the ballot at the next general election if the date of the general election
13 is not less than thirty (30) calendar days after the county boards receive
14 certification from the local board or acting local board.

15 (3)(A) In the alternative, the local board or acting local board
16 may set a date for a special election at a time not less than thirty (30)
17 calendar days after the local board or acting local board notifies the county
18 boards.

19 (B)(i) The special election shall occur on the second
20 Tuesday of any month, except as provided in subdivision (d)(3)(B)(ii) of this
21 section.

22 (ii)(a)(1) Special elections held in months in which
23 a presidential preferential primary election, preferential primary election,
24 or general election is scheduled to occur shall be held on the date of the
25 presidential preferential primary election, preferential primary election, or
26 general election.

27 (2)(A)(i) If a special election is held
28 on the date of the presidential preferential primary election or preferential
29 primary election, the issue or issues to be voted upon at the special
30 election shall be included on the ballot of each political party.

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

35 (B) No voter shall be required to
36 vote in a political party's presidential preferential primary or preferential

1 primary in order to be able to vote in the special election.

2 (b) Special elections scheduled to occur in a
 3 month in which the second Tuesday is a legal holiday shall be held on the
 4 third Tuesday of the month.

5 (4) The special election shall be conducted in the manner
 6 provided by law for other special elections.

7
 8 SECTION 8. Arkansas Code § 6-61-512 is amended to read as follows:
 9 6-61-512. Formation of district - Election - Date.

10 (a) The date of the election shall be set by the Secretary of State at
 11 a time not less than thirty (30) days from the date of notification of the
 12 county board of election commissioners.

13 (b)(1) The election shall occur on the second Tuesday of any month,
 14 except as provided in subdivision (b)(2) of this section.

15 (2)(A)(i) Elections held in months in which a presidential
 16 preferential primary election, preferential primary election, or general
 17 election is scheduled to occur shall be held on the date of the presidential
 18 preferential primary election, preferential primary election, or general
 19 election.

20 (ii)(a)(1) If an election is held on the date of the
 21 presidential preferential primary election or preferential primary election,
 22 the issue or issues to be voted upon at the election shall be included on the
 23 ballot of each political party.

24 (2) However, separate ballots containing
 25 only the issue or issues to be voted upon at the election shall be prepared
 26 and made available to voters requesting a separate ballot.

27 (b) No voter shall be required to vote in a
 28 political party's presidential preferential primary or preferential primary
 29 in order to be able to vote in the election.

30 (B) Elections scheduled to occur in a month in which the
 31 second Tuesday is a legal holiday shall be held on the third Tuesday of the
 32 month.

33
 34 SECTION 9. Arkansas Code § 6-61-602(d)(1), concerning special
 35 elections on the issue of millage taxes to support community colleges, is
 36 amended to read as follows:

1 (d)(1)(A) When the local board of a community college determines that
 2 the question of a tax levy in the district should be submitted to the
 3 electors of the district at a special election, it shall adopt a resolution
 4 to that effect and shall file a certified copy of the resolution with the
 5 county board of election commissioners of each county of which any portion is
 6 in the district that a special election shall be held in the district and
 7 shall set the date of the election, which shall be not less than thirty (30)
 8 days nor more than sixty (60) days after the date of the notice to the county
 9 board of election commissioners.

10 (B)(i) The special election shall occur on the second
 11 Tuesday of any month, except as provided in subdivision (d)(1)(B)(ii) of this
 12 section.

13 (ii)(a)(1) Special elections held in months in which
 14 a presidential preferential primary election, preferential primary election,
 15 or general election is scheduled to occur shall be held on the date of the
 16 presidential preferential primary election, preferential primary election, or
 17 general election.

18 (2)(A)(i) If a special election is held
 19 on the date of the presidential preferential primary election or preferential
 20 primary election, the issue or issues to be voted upon at the special
 21 election shall be included on the ballot of each political party.

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

26 (B) No voter shall be required to
 27 vote in a political party's presidential preferential primary or preferential
 28 primary in order to be able to vote in the special election.

29 (b) Special elections scheduled to occur in a
 30 month in which the second Tuesday is a legal holiday shall be held on the
 31 third Tuesday of the month.

32
 33 SECTION 10. Arkansas Code § 6-71-105 is amended to read as follows:

34 6-71-105. Public notice of passage of chapter - Methods of approval.

35 (a) Immediately upon the organization of the commission, or as soon
 36 thereafter as it is convenient, it shall give public notice of the passage of

1 this chapter and of the commission's organization and the purposes of this
2 chapter, and that the public improvement herein contemplated is conditioned
3 upon its approval by a majority in value of the owners of real estate within
4 the district or a majority of the electors voting in a special election which
5 may be held upon this chapter.

6 (b) This chapter may be submitted in either or both of the following
7 modes to determine whether it shall become operative:

8 (1)(A) ~~Petition Method.~~ If, at any time within five (5) years
9 from the passage of this act, a petition purporting to be signed by a
10 majority in value of the owners of real property within the district is filed
11 with the commission, the commission shall give public notice of that fact in
12 at least one (1) daily newspaper published in the county and set a day and
13 place for the hearing not less than twenty (20) days after the first
14 publication of the notice.

15 (B) At the place and time so designated, the commissioners
16 shall examine the petition filed and examine the assessment of the real
17 property within the district and, for the purpose of the hearing, may adjourn
18 from day to day from time to time until the hearing is completed.

19 (C) At the hearing, any landowner in the district may be
20 heard and evidence may be taken in such manner as the commission may deem
21 proper to determine the fact as to whether the petition is signed by a
22 majority in value of the landowners of the district, as shown by the last
23 county assessment of the lands within the district.

24 (D)(i) If at the hearing the commissioners find that the
25 petition is not signed by a majority in value of the landowners of the
26 district, as shown by the last county assessment, they shall so declare. Such
27 findings shall terminate proceedings under this chapter unless within the
28 term herein limited another petition purporting to be signed by a majority in
29 value of owners of real estate in the district is filed with the commission,
30 when like proceedings shall again be had to determine whether a majority in
31 value of the landowners of the district have signed the petition. However,
32 the finding that a majority in value has not petitioned for the improvement
33 shall not bar the chapter from becoming effective as provided in subsections
34 (b)(2) and (c) of this section.

35 (ii) If the commission finds that the petition is
36 signed by a majority in value of the landowners of the district as shown by

1 the last county assessment, they shall so declare and shall proceed to carry
2 out the purposes of this chapter.

3 (iii) In either event, public notice shall be given
4 in at least one (1) daily paper published in the county of that fact, and a
5 copy of the findings shall be filed with the county court of the county.

6 (2)(A) ~~Election Method.~~ The commission may call at any time
7 within five (5) years an election to determine whether this chapter shall
8 become operative and may call subsequent elections after the chapter has
9 failed to carry if the commission has good reasons to believe that a majority
10 of the electors then favor this chapter.

11 (B) The election held under this section shall be held
12 conformable as nearly as possible to the laws of the state governing general
13 elections.

14 (C)(i) The election held under this section shall occur on
15 the second Tuesday of any month, except as provided in subdivision
16 (b)(2)(C)(ii) of this section.

17 (ii)(a)(1) Elections held in months in which a
18 presidential preferential primary election, preferential primary election, or
19 general election is scheduled to occur shall be held on the date of the
20 presidential preferential primary, preferential primary or general election.

21 (2)(A)(i) If an election is held on the
22 date of the presidential preferential primary election or preferential
23 primary election, the issue or issues to be voted upon at the election shall
24 be included on the ballot of each political party.

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

28 (B) No voter shall be required to
29 vote in a political party's presidential preferential primary or preferential
30 primary in order to be able to vote in the election.

31 (b) Elections scheduled to occur in a month in
32 which the second Tuesday is a legal holiday shall be held on the third
33 Tuesday of the month.

34 ~~(C)(D)~~ The commission shall perform the duties of county
35 election commissioners as nearly as applicable.

36 ~~(D)(E)~~ All citizens of the city in which the district is

1 located who possess a right to vote if the election were a general election
2 for state officers, and no other, shall be entitled to vote in the election.

3 ~~(E)~~(F) The commission shall canvass the votes cast at the
4 special elections. If the commission finds that a majority of the votes cast
5 in the election was in favor of this chapter becoming operative, they shall
6 so declare and shall proceed to carry out the purposes of this chapter.

7 ~~(F)~~(G) Public notice shall be given of their findings in
8 either event in at least one (1) daily newspaper published in the county in
9 which the district is located, and a copy of their findings shall be filed
10 with the county clerk of such county.

11 (c) It is the intent of this section to permit this chapter to become
12 operative if it is approved at any time within five (5) years in either of
13 the foregoing methods and not to become operative unless approved within this
14 period by one (1) or the other of the methods provided in this section.

15
16 SECTION 11. Arkansas Code § 7-5-103 is amended to read as follows:

17 7-5-103. Time of special elections.

18 (a) If no time is otherwise provided by law, all special elections to
19 fill vacancies or to elect any officers where there appears to be a tie vote
20 shall be held on the second Tuesday of any month at the time specified in the
21 proclamation issued by the appropriate constituted authority but in no event
22 earlier than thirty (30) days following the issuance of the proclamation.

23 (b)(1)(A) Special elections held under this section in months in which
24 a presidential preferential primary election, preferential primary election,
25 or general election is scheduled to occur shall be held on the date of the
26 presidential preferential primary election, preferential primary election, or
27 general election.

28 (B)(i)(a) If a special election is held on the date of the
29 presidential preferential primary election or preferential primary election,
30 the issue or issues to be voted upon at the special election shall be
31 included on the ballot of each political party.

32 (b) However, separate ballots containing only
33 the issue or issues to be voted upon at the special election shall be
34 prepared and made available to voters requesting a separate ballot.

35 (ii) No voter shall be required to vote in a
36 political party's presidential preferential primary or preferential primary

1 in order to be able to vote in the special election.

2 (2) Special elections scheduled to occur in a month in which the
3 second Tuesday is a legal holiday shall be held on the third Tuesday of the
4 month.

5
6 SECTION 12. Arkansas Code § 7-7-104(e)(1), concerning special
7 elections on the issue of vacancies in nominations, is amended to read as
8 follows:

9 (e)(1)(A) If the party notifies the Governor within the time
10 prescribed in subsection (c) of this section of the desire to have a special
11 election, the Governor shall within five (5) days issue a proclamation
12 calling the special election and establishing the deadline for filing as a
13 candidate for nomination, which shall be no more than twenty (20) days after
14 the proclamation. The special election shall occur no earlier than thirty
15 (30) days nor later than ~~forty five (45)~~ sixty (60) days after the end of the
16 filing deadline.

17 (B)(i) The special election shall occur on the second
18 Tuesday of any month, except as provided in subdivision (e)(1)(B)(ii) of this
19 section.

20 (ii)(a)(1) Special elections held in months in which
21 a presidential preferential primary election, preferential primary election,
22 or general election is scheduled to occur shall be held on the date of the
23 presidential preferential primary election, preferential primary election, or
24 general election.

25 (2)(A)(i) If a special election is held
26 on the date of the presidential preferential primary election or preferential
27 primary election, the issue or issues to be voted upon at the special
28 election shall be included on the ballot of each political party.

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

33 (B) No voter shall be required to
34 vote in a political party's presidential preferential primary or preferential
35 primary in order to be able to vote in the special election.

36 (b) Special elections scheduled to occur in a

1 month in which the second Tuesday is a legal holiday shall be held on the
 2 third Tuesday of the month.

3 (2) A runoff election, if required, shall be held two (2) weeks
 4 after the date of the special election.

5
 6 SECTION 13. Arkansas Code § 7-7-105(1)(D), concerning special primary
 7 elections for filling vacancies in certain offices, is amended to read as
 8 follows:

9 (D)(i) The date of the special primary election shall be at
 10 least thirty (30) days but no more than ~~forty five (45)~~ sixty (60) days
 11 subsequent to the date fixed as a deadline for qualifying as a candidate for
 12 nomination. This date shall be at least ten (10) days prior to the date fixed
 13 in the proclamation for holding the special election to fill the vacancy in
 14 office.

15 (ii)(a) The special primary election shall occur on
 16 the second Tuesday of any month, except as provided in subdivision
 17 (1)(D)(ii)(b) of this section.

18 (b)(1)(A) Special primary elections held in
 19 months in which a presidential preferential primary election, preferential
 20 primary election, or general election is scheduled to occur shall be held on
 21 the date of the presidential preferential primary election, preferential
 22 primary election, or general election.

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

26
 27 SECTION 14. Arkansas Code § 7-8-102 is amended to read as follows:

28 7-8-102. Filling Senate vacancies.

29 (a) When any vacancy shall happen in the representation of the State
 30 of Arkansas in the United States Senate by death, resignation, or otherwise,
 31 the Governor shall have the power and authority to fill the vacancy by
 32 temporary appointment until the people fill the vacancy by election at the
 33 next-ensuing general election for state and county officers to be held more
 34 than sixty (60) days and less than twelve (12) months after the vacancy shall
 35 occur.

36 (b)(1) If no general election for state and county officers shall

1 occur within twelve (12) months after the vacancy, the Governor shall call a
 2 special election to be held not less than sixty (60) days and not more than
 3 one hundred twenty (120) days after the vacancy shall occur.

4 (2)(A) The special election shall occur on the second Tuesday of
 5 any month, except as provided in subdivision (b)(2)(B) of this section.

6 (B)(i)(a) Special elections held in months in which a
 7 presidential preferential primary election or preferential primary election
 8 is scheduled to occur shall be held on the date of the presidential
 9 preferential primary election or preferential primary election.

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

14 (B) However, separate ballots
 15 containing only the issue or issues to be voted upon at the special election
 16 shall be prepared and made available to voters requesting a separate ballot.

17 (2) No voter shall be required to vote
 18 in a political party's presidential preferential primary or preferential
 19 primary in order to be able to vote in the special election.

20 (ii) Special elections scheduled to occur in a month
 21 in which the second Tuesday is a legal holiday shall be held on the third
 22 Tuesday of the month.

23
 24 SECTION 15. Arkansas Code § 7-9-111(h), concerning special elections
 25 on the issue of municipal referendum petition measures, is amended to read as
 26 follows:

27 (h)(1) Municipal referendum petition measures shall be submitted to
 28 the electors at a regular general election unless the petition expressly
 29 calls for a special election. If the date set by the petition does not allow
 30 sufficient time to comply with election procedures, then the city or town
 31 council shall fix the date for any special election on the referendum
 32 measure. The date of any special election shall not be more than one hundred
 33 twenty (120) calendar days after the date of certification of sufficiency by
 34 the municipal clerk.

35 (2)(A) The special election shall occur on the second Tuesday
 36 of any month, except as provided in subdivision (h)(2)(B) of this section.

1 (B)(i)(a) Special elections held in months in which a
 2 presidential preferential primary election, preferential primary election, or
 3 general election is scheduled to occur shall be held on the date of the
 4 presidential preferential primary election, preferential primary election, or
 5 general election.

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

10 (B) However, separate ballots
 11 containing only the issue or issues to be voted upon at the special election
 12 shall be prepared and made available to voters requesting a separate ballot.

13 (2) No voter shall be required to vote
 14 in a political party's presidential preferential primary or preferential
 15 primary in order to be able to vote in the special election.

16 (ii) Special elections scheduled to occur in a month
 17 in which the second Tuesday is a legal holiday shall be held on the third
 18 Tuesday of the month.

19
 20 SECTION 16. Arkansas Code § 12-10-318(a), concerning special elections
 21 for emergency telephone service charges, is amended to read as follows:

22 12-10-318. Emergency telephone service charges - Imposition -
 23 Liability.

24 (a)(1)(A) When so authorized by a majority of the persons voting
 25 within the political subdivision in accordance with the law, the governing
 26 authority of each political subdivision may levy an emergency telephone
 27 service charge in the amount assessed by the political subdivision on a per
 28 access line basis as of January 1, 1997, or the amount up to five percent
 29 (5%) of the tariff rate, except that any political subdivision with a
 30 population of fewer than twenty-seven thousand five hundred (27,500)
 31 according to the 1990 Federal Decennial Census may, by a majority vote of the
 32 electors voting on the issue, levy an emergency telephone charge in an amount
 33 assessed by the political subdivision on a per access line basis as of
 34 January 1, 1997, or an amount up to twelve percent (12%) of the tariff rate.

35 (B) The governing authority of a political subdivision
 36 that has been authorized under subdivision (a)(1)(A) of this section to levy

1 an emergency telephone service charge in an amount up to twelve percent (12%)
 2 of the tariff rate may decrease the percentage rate to not less than four
 3 percent (4%) of the tariff rate for those telephone service users that are
 4 served by a telephone company with fewer than two hundred (200) access lines
 5 in this state as of the date of the election conducted under subdivision
 6 (a)(1)(A) of this section.

7 (2)(A) The governing authority of the political subdivision may,
 8 upon its own initiative, call such a special election.

9 (B)(i) The special election shall occur on the second
 10 Tuesday of any month, except as provided in subdivision (a)(2)(B)(ii) of this
 11 section.

12 (ii)(a)(1) Special elections held in months in which
 13 a presidential preferential primary election, preferential primary election,
 14 or general election is scheduled to occur shall be held on the date of the
 15 presidential preferential primary election, preferential primary election, or
 16 general election.

17 (2)(A)(i) If a special election is held
 18 on the date of the presidential preferential primary election or preferential
 19 primary election, the issue or issues to be voted upon at the special
 20 election shall be included on the ballot of each political party.

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

25 (B) No voter shall be required to
 26 vote in a political party's presidential preferential primary or preferential
 27 primary in order to be able to vote in the special election.

28 (b) Special elections scheduled to occur in a
 29 month in which the second Tuesday is a legal holiday shall be held on the
 30 third Tuesday of the month.

31
 32 SECTION 17. Arkansas Code § 13-2-501(b), concerning special elections
 33 on the issue of public libraries, is amended to read as follows:

34 (b)(1) In cities of the first class, on petition of five percent (5%)
 35 of the voters requesting the establishment of a public library, the city
 36 council or governing body of the municipality within thirty (30) days after

1 the filing of the petition shall call an election to be held within sixty
2 (60) days thereafter.

3 (2)(A) The election shall be advertised and conducted as special
4 elections are required by law to be.

5 (B)(i) The election shall occur on the second Tuesday of
6 any month, except as provided in subdivision (b)(2)(B)(ii) of this section.

7 (ii)(a)(1) Elections held in months in which a
8 presidential preferential primary election, preferential primary election,
9 or general election is scheduled to occur shall be held on the date of the
10 preferential primary election or general election.

11 (2)(A)(i) If an election is held on the
12 date of the presidential preferential primary election or preferential
13 primary election, the issue or issues to be voted upon at the election shall
14 be included on the ballot of each political party.

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

18 (B) No voter shall be required to
19 vote in a political party's presidential preferential primary or preferential
20 primary in order to be able to vote in the election.

21 (b) Elections scheduled to occur in a month in
22 which the second Tuesday is a legal holiday shall be held on the third
23 Tuesday of the month.

24 ~~(B)(C)~~ The ballots shall be marked "FOR Public Library",
25 "AGAINST Public Library".

26 (3) If a majority of the electors voting at the election vote in
27 favor of the establishment of a library, it shall be the duty of the city
28 council or the governing body of the municipality immediately to establish a
29 public library and continue to maintain it, in accordance with the provisions
30 of this section.

31
32 SECTION 18. Arkansas Code § 14-20-108(a), concerning special elections
33 on the issue of the levy of volunteer fire department dues, is amended to
34 read as follows:

35 14-20-108. Dues for volunteer fire departments.

36 (a)(1)(A) The quorum court of each county, upon request therefor filed

1 with the court by one (1) or more volunteer fire departments in the county,
2 may adopt an ordinance authorizing a designated county official to collect
3 and remit to the department or departments the annual or quarterly dues
4 charged by the department or departments in consideration of providing fire
5 protection to unincorporated areas in the county; or

6 (B)(i)(a) When any county quorum court receives a request
7 for the levy of volunteer fire department dues, if the request has been
8 signed by the fire chief and all other officers of a volunteer fire
9 department and duly filed with the county clerk, the quorum court by
10 ordinance shall call for an election on the issue of the levy of the
11 volunteer fire department dues on each residence.

12 (b) The issue may be placed on the ballot at a
13 special election or a general election and in each case shall comply with the
14 laws of this state pertaining to special elections and general elections.

15 (c) If the levy is approved by a majority of
16 those voting on the issue, the dues shall be listed annually on real property
17 tax statements and collected at the same time and in the same manner as real
18 property taxes.

19 (ii) The cost of the election shall be borne by the
20 volunteer fire department or departments that requested the levy.

21 (iii)(a) The election shall occur on the second
22 Tuesday of any month, except as provided in subdivision (a)(1)(B)(iii)(b) of
23 this section.

24 (b)(1)(A) Elections held in months in which a
25 presidential preferential primary election, preferential primary election, or
26 general election is scheduled to occur shall be held on the date of the
27 presidential preferential primary election, preferential primary election or
28 general election.

29 (B)(i)(a) If an election is held
30 on the date of the presidential preferential primary election or preferential
31 primary election, the issue or issues to be voted upon at the election shall
32 be included on the ballot of each political party.

33 (b) However, separate
34 ballots containing only the issue or issues to be voted upon at the election
35 shall be prepared and made available to voters requesting a separate ballot.

36 (ii) No voter shall be

1 required to vote in a political party's presidential preferential primary or
 2 preferential primary in order to be able to vote in the election.

3 (2) Elections scheduled to occur in a
 4 month in which the second Tuesday is a legal holiday shall be held on the
 5 third Tuesday of the month.

6 (2) The ordinance enacted by the court shall set forth the terms
 7 and conditions on which such dues are to be collected by the county and for
 8 the remission of the dues to the volunteer fire departments.

9 (3) Provided, however, active members of the volunteer fire
 10 departments whose annual or quarterly dues are collected in this manner may,
 11 at the discretion of the volunteer fire department, be exempt from the annual
 12 or quarterly dues charged by the department in consideration of providing
 13 services to the department.

14
 15 SECTION 19. Arkansas Code § 14-37-112(b), concerning special elections
 16 for the purpose of electing officers for cities of the second class, is
 17 amended to read as follows:

18 (b)(1) The officers of the incorporated town, upon the filing with the
 19 Secretary of State of the certified copy of the ordinance, shall immediately
 20 become officers of the city of the second class, with full authority to
 21 proceed, do, and perform any and all things for, and on behalf of, the city
 22 of the second class as if elected as officers of the city of the second
 23 class. They shall serve as such officers for the full period of time for
 24 which they were elected or until their successors are elected and qualified.

25 (2)(A) At the regular time for holding election of officers of
 26 incorporated towns, there shall be an election for the election of officers
 27 of the city of the second class who shall hold office as officers of the city
 28 of the second class until the next regular time fixed by law for electing
 29 officers of a city of the second class or until their successors are elected
 30 and qualified.

31 (B)(i) However, the mayor of the incorporated town which
 32 has been raised to a city of the second class may call a special election by
 33 proclamation effective ~~thirty (30)~~ sixty (60) days after its date which shall
 34 be published by two (2) insertions within the ~~thirty-day~~ sixty-day period in
 35 a newspaper of general circulation in the county in which the city is
 36 located. This special election shall be held for the purpose of electing

1 officers for the city of the second class.

2 (ii)(a) The special election shall occur on the
 3 second Tuesday of any month, except as provided in subdivision
 4 (b)(2)(B)(ii)(b) of this section.

5 (b)(1)(A) Special elections held in months in
 6 which a presidential preferential primary election, preferential primary
 7 election or general election is scheduled to occur shall be held on the date
 8 of the presidential preferential primary election, preferential primary
 9 election or general election.

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

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

18 (ii) No voter shall be
 19 required to vote in a political party's presidential preferential primary or
 20 preferential primary in order to be able to vote in the special election.

21 (2) Special elections scheduled to occur
 22 in a month in which the second Tuesday is a legal holiday shall be held on
 23 the third Tuesday of the month.

24
 25 SECTION 20. Arkansas Code § 14-38-112(c), concerning special elections
 26 associated with the reactivation of inactive cities or incorporated towns, is
 27 amended to read as follows:

28 (c)(1) The purpose of the hearing shall be to determine the
 29 sufficiency of the petitions.

30 (2)(A) If the county court shall determine that a majority of
 31 the qualified electors of the city or incorporated town, as reflected by the
 32 voter registration records of the county, shall have petitioned for the
 33 calling of a special election to elect the municipal officials of the city or
 34 incorporated town, the county court shall enter an order approving the
 35 petitions and shall call a special election for the election of the officials
 36 of the city or incorporated town.

1 (B)(i) The election shall be called within sixty (60) days
2 of the order of the county court.

3 (ii) The election shall be conducted in the same
4 manner as provided by law for the conducting of special elections to elect
5 officials of a newly incorporated city or town.

6 (iii)(a) The election shall occur on the second
7 Tuesday of any month, except as provided in subdivision (c)(2)(B)(iii)(b) of
8 this section.

9 (b)(1)(A) Elections held in months in which a
10 presidential preferential primary election, preferential primary election, or
11 general election is scheduled to occur shall be held on the date of the
12 presidential preferential primary election, preferential primary election, or
13 general election.

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

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

21 (ii) No voter shall be
22 required to vote in a political party's presidential preferential primary
23 election or preferential primary in order to be able to vote in the election.

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

27 (C) The officials so elected shall assume the duties of
28 their respective offices in the same manner and for such terms as provided by
29 law for officials of newly incorporated cities or towns.

30
31 SECTION 21. Arkansas Code § 14-38-113(a)(3), concerning special
32 elections on the issue of reorganization under a different form of
33 government, is amended to read as follows:

34 (3)(A) If a majority of the votes cast at the election shall be
35 in favor of the proposition, and no suit is brought to contest the
36 certification of the results of the election within the thirty-day period

1 after the certification by the county board of election commissioners, the
2 mayor shall file with the Secretary of State and the county clerk of the
3 county in which the municipality is situated certificates stating that the
4 proposition was adopted.

5 (B) Thereafter, the municipality shall proceed to elect
6 officials of the municipality in the manner and at the time provided by law
7 for the election of municipal officials in municipalities operating under the
8 form of government adopted by the municipality.

9 (C)(i) However, if a municipality votes to change its form
10 of government and the date of the election to change its form of municipal
11 government is six (6) months or more prior to the next regular general
12 election for municipal officials, the mayor of the municipality shall, by
13 proclamation, call a special election for the purpose of electing municipal
14 officials under the form of government adopted by the municipality. When the
15 officials are elected, the municipality shall proceed to organize and operate
16 under the newly adopted form of government.

17 (ii)(a) The mayor's proclamation shall be issued
18 within one (1) business day after the results of the election have been
19 certified to him or her.

20 (b)(1) The proclamation shall be published at
21 least one (1) time a week for two (2) weeks in a newspaper having general
22 circulation within the municipality, and the date of the special election
23 shall be within fifty-five (55) days from the date of the proclamation
24 calling the special election+.

25 (2)(A) The special election shall occur
26 on the second Tuesday of any month, except as provided in subdivision
27 (a)(3)(C)(ii)(b)(2)(B) of this section.

28 (B)(i)(a) Special elections held
29 in months in which a presidential preferential primary election, preferential
30 primary election, or general election is scheduled to occur shall be held on
31 the date of the presidential preferential primary election, preferential
32 primary election, or general election.

33 (b)(1)(A) If a special
34 election is held on the date of the presidential preferential primary
35 election or preferential primary election, the issue or issues to be voted
36 upon at the special election shall be included on the ballot of each

1 political party.

2 (B)

3 However, separate ballots containing only the issue or issues to be voted
 4 upon at the special election shall be prepared and made available to voters
 5 requesting a separate ballot.

6 (2) No voter

7 shall be required to vote in a political party's presidential preferential
 8 primary or preferential primary in order to be able to vote in the special
 9 election.

10 (ii) Special elections

11 scheduled to occur in a month in which the second Tuesday is a legal holiday
 12 shall be held on the third Tuesday of the month;

13 (4)(A) When any municipality shall change forms of government in
 14 the manner provided in this section, the question of changing the form of
 15 government of the municipality shall not again be submitted to the electors
 16 thereof until the expiration of four (4) years from the date on which the
 17 first officers are elected for the form of government adopted at the
 18 election.

19 (B) If a majority of the qualified electors of a
 20 municipality shall vote against adopting a different form of government, the
 21 question shall not again be submitted to the electors thereof for a period of
 22 two (2) years after the date of the election in which the proposed change of
 23 government in the municipality was rejected;

24 (5)(A) Each signature on a petition filed, as provided in this
 25 section, shall have been signed within one hundred eighty (180) days prior to
 26 the filing of the petition. All signatures not signed within this time shall
 27 be void for the purposes of determining the adequate number of signatures
 28 required to call an election under this section.

29 (B) The date of execution of the petitions may be
 30 established by affidavit of the person circulating the petition or by the
 31 person signing the petition affixing the date of signing immediately
 32 following his name.

33
 34 SECTION 22. Arkansas Code § 14-40-303(b), concerning special elections
 35 on the issue of annexation ordinances, is amended to read as follows:

36 (b)(1)(A)(i) The annexation ordinance shall not become effective until

1 the question of annexation is submitted to the qualified electors of the
2 annexing municipality and of the area to be annexed at the next general
3 election or at a special election. The special election shall be conducted
4 no earlier than sixty (60) days after the date of enactment of the ordinance.

5 (ii)(a) The special election shall occur on the
6 second Tuesday of any month, except as provided in subdivision
7 (b)(1)(A)(ii)(b) of this section.

8 (b)(1)(A) Special elections held in months in
9 which a presidential preferential primary election, preferential primary
10 election, or general election is scheduled to occur shall be held on the date
11 of the presidential preferential primary election, preferential primary
12 election, or general election.

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

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

21 (ii) No voter shall be
22 required to vote in a political party's presidential preferential primary or
23 preferential primary in order to be able to vote in the special election.

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

27 (B)(i) If a majority of the qualified electors voting in
28 the election shall vote for the annexation, the county clerk shall, no later
29 than seven (7) days following the election, certify the election results,
30 record the same, along with the description and a map of the annexed area, in
31 the county records, and file a certified copy thereof with the Secretary of
32 State.

33 (ii) The annexation shall be effective, and the
34 lands annexed shall be included within the corporate limits of the annexing
35 municipality thirty (30) days following the date of recording and filing of
36 the description and map, as provided in this section, or, in the event an

1 action is filed with the circuit court as provided in § 14-40-304 on the date
2 the judgment of the court becomes final.

3 (2) If a majority of the qualified electors voting on the issue
4 at the election vote against the annexation, the annexation ordinance shall
5 be null and void.

6
7 SECTION 23. Arkansas Code § 14-40-1202(a), concerning special
8 elections on the issue of annexation, is amended to read as follows:

9 (a)(1)(A) Upon presentation of the petition to the county court by the
10 authorized persons, the court shall at once order and call a special election
11 in both of the municipal corporations on the question of the annexation and
12 the name of the proposed consolidated municipality.

13 (B) The court shall give thirty (30) days' notice of the
14 election by publication one (1) time a week in some newspaper with a bona
15 fide circulation in the territory and by notices posted in conspicuous places
16 in the territory.

17 (C)(i) The special election shall occur on the second
18 Tuesday of any month, except as provided in subdivision (a)(1)(C)(ii) of this
19 section.

20 (ii)(a)(1) Special elections held in months in which
21 a presidential preferential primary election, preferential primary election,
22 or general election is scheduled to occur shall be held on the date of the
23 presidential preferential primary election, preferential primary election, or
24 general election.

25 (2)(A)(i) If a special election is held
26 on the date of the presidential preferential primary election or preferential
27 primary election, the issue or issues to be voted upon at the special
28 election shall be included on the ballot of each political party.

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

33 (B) No voter shall be required to
34 vote in a political party's presidential preferential primary or preferential
35 primary in order to be able to vote in the special election.

36 (b) Special elections scheduled to occur in a

1 month in which the second Tuesday is a legal holiday shall be held on the
 2 third Tuesday of the month.

3 (2) The court shall appoint one (1) judge and one (1) clerk in
 4 each ward or other division of each municipal corporation, and the mayor and
 5 city council of each of the municipal corporations shall select two (2)
 6 judges and one (1) clerk for each of the wards or other divisions having the
 7 qualifications of electors, to act as judges and clerks of election within
 8 the respective wards.

9 (3) The court shall fix all polling places at which the voting
 10 shall take place.

11
 12 SECTION 24. Arkansas Code § 14-40-1207(a), concerning special
 13 elections of aldermen in the case of annexation, is amended to read as
 14 follows:

15 (a)(1)(A) Except as provided under subdivision (a)(1)(B) of this
 16 section, the city or town council shall call a special election of aldermen,
 17 to be held at such times and places as it may direct in the wards of the
 18 smaller municipality and for the election of aldermen from any other new
 19 wards that may be created by the council out of territory included in the
 20 larger city or incorporated town before the annexation, as provided in this
 21 subchapter.

22 (B) If the petition calls for a citywide election for all
 23 officials of the new consolidated city or incorporated town, then the city or
 24 town council shall call a special election for all city or town officials to
 25 be held at the times and places as it may direct throughout each ward of the
 26 consolidated city or incorporated town.

27 (2) If the implementation of the consolidation of the cities or
 28 towns is delayed, the special election for new aldermen or all city officials
 29 shall be held at least forty-five (45) days before the effective date of the
 30 consolidation.

31 (3)(A) The special election shall occur on the second Tuesday of
 32 any month, except as provided in subdivision (a)(3)(B) of this section.

33 (B)(i)(a) Special elections held in months in which a
 34 presidential preferential primary election, preferential primary election, or
 35 general election is scheduled to occur shall be held on the date of the
 36 presidential preferential primary election, preferential primary election, or

1 general election.

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

6 (B) However, separate ballots
 7 containing only the issue or issues to be voted upon at the special election
 8 shall be prepared and made available to voters requesting a separate ballot.

9 (2) No voter shall be required to vote
 10 in a political party's presidential preferential primary or preferential
 11 primary in order to be able to vote in the special election.

12 (ii) Special elections scheduled to occur in a month
 13 in which the second Tuesday is a legal holiday shall be held on the third
 14 Tuesday of the month.

15
 16 SECTION 25. Arkansas Code § 14-42-104 is amended to read as follows:
 17 14-42-104. Vacancies in certain alderman positions.

18 When a vacancy occurs in any position of alderman in a city having a
 19 population of fifty thousand (50,000) or more, according to the most recent
 20 federal decennial census and having a mayor-council form of government in
 21 which the electors of each ward elect one (1) or more aldermen, a new
 22 alderman shall be chosen in the following manner:

23 (1)(A) If the unexpired portion of the term of alderman exceeds
 24 one (1) year, a successor shall be elected by a vote of the electors of the
 25 ward. The city council shall order a special election to be held within sixty
 26 (60) days of the date the vacancy occurs+.

27 (B)(i) The special election shall occur on the second
 28 Tuesday of any month, except as provided in subdivision (1)(B)(ii) of this
 29 section.

30 (ii)(a)(1) Special elections held in months in which
 31 a presidential preferential primary election, preferential primary election,
 32 or general election is scheduled to occur shall be held on the date of the
 33 presidential preferential primary election, preferential primary election, or
 34 general election.

35 (2)(A)(i) If a special election is held
 36 on the date of the presidential preferential primary election or preferential

1 primary election, the issue or issues to be voted upon at the special
 2 election shall be included on the ballot of each political party.

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

7 (B) No voter shall be required to
 8 vote in a political party's presidential preferential primary or preferential
 9 primary in order to be able to vote in the special election.

10 (b) Special elections scheduled to occur in a
 11 month in which the second Tuesday is a legal holiday shall be held on the
 12 third Tuesday of the month; and

13 (2) If the unexpired portion of the term of alderman is one (1)
 14 year or less, a successor shall be chosen by a majority vote of the members
 15 of the city council.

16
 17 SECTION 26. Arkansas Code § 14-42-203(a), concerning special elections
 18 of city mayors, is amended to read as follows:

19 14-42-203. Special elections of city mayors.

20 (a)(1) Special elections of mayors of cities of the first and second
 21 class shall be held at such time and place as the council shall direct.

22 (2)(A) The special election shall be held on the second Tuesday
 23 of any month, except as provided by subdivision (a)(2)(B) of this section.

24 (B)(i)(a) Special elections held in months in which a
 25 presidential preferential primary election, preferential primary election, or
 26 general election is scheduled to occur shall be held on the date of the
 27 presidential preferential primary election, preferential primary election, or
 28 general election.

29 (b)(1)(A) If a special election is held on the
 30 date of the presidential preferential primary election or preferential
 31 primary election, the issue or issues to be voted upon at the special
 32 election shall be included on the ballot of each political party.

33 (B) However, separate ballots
 34 containing only the issue or issues to be voted upon at the special election
 35 shall be prepared and made available to voters requesting a separate ballot.

36 (2) No voter shall be required to vote

1 in a political party's presidential preferential primary or preferential
 2 primary in order to be able to vote in the special election.

3 (ii) Special elections scheduled to occur in a month
 4 in which the second Tuesday is a legal holiday shall be held on the third
 5 Tuesday of the month.

6
 7 SECTION 27. Arkansas Code § 14-43-411(b), concerning special elections
 8 on the issue of alderman vacancies, is amended to read as follows:

9 (b) When a vacancy occurs in any position of alderman in a city having
 10 a population of fifty thousand (50,000) or more, according to the most recent
 11 federal decennial census, and having a mayor-council form of government in
 12 which the electors of each ward elect one (1) or more aldermen, a new
 13 alderman shall be chosen in the following manner:

14 (1)(A) If the unexpired portion of the term of alderman exceeds
 15 one (1) year, a successor shall be elected by a vote of the electors of the
 16 ward. The city council shall order a special election to be held within sixty
 17 (60) days of the date the vacancy occurs+.

18 (B)(i) The special election shall occur on the second
 19 Tuesday of any month, except as provided in subdivision (b)(1)(B)(ii) of this
 20 section.

21 (ii)(a)(1) Special elections held in months in which
 22 a presidential preferential primary election, preferential primary election,
 23 or general election is scheduled to occur shall be held on the date of the
 24 presidential preferential primary election, preferential primary election, or
 25 general election.

26 (2)(A)(i) If a special election is held
 27 on the date of the presidential preferential primary election or preferential
 28 primary election, the issue or issues to be voted upon at the special
 29 election shall be included on the ballot of each political party.

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

34 (B) No voter shall be required to
 35 vote in a political party's presidential preferential primary or preferential
 36 primary in order to be able to vote in the special election.

1 (b) Special elections scheduled to occur in a
 2 month in which the second Tuesday is a legal holiday shall be held on the
 3 third Tuesday of the month; or

4 (2) If the unexpired portion of the term of alderman is one (1)
 5 year or less, a successor shall be chosen by a majority vote of the members
 6 of the council.

7
 8 SECTION 28. Arkansas Code § 14-44-103(a)(3), concerning elections on
 9 the issue of alderman term length, is amended to read as follows:

10 (3)(A) The city council of a city of the second class may refer
 11 to voters an ordinance on the question of electing the two (2) aldermen for
 12 each ward to four-year terms.

13 (B)(i) The voters shall vote on the ordinance at a general
 14 election or at a special election called for that purpose.

15 (ii) However, the election to approve the four-year
 16 election procedure shall be held no later than February 1 of the year of the
 17 general election in which the procedure is proposed to be effective.

18 (iii)(a) The special election shall occur on the
 19 second Tuesday of any month, except as provided in subdivision (a)(B)(ii)(b)
 20 of this section.

21 (b)(1)(A) Special elections held in months in
 22 which a presidential preferential primary election, preferential primary
 23 election, or general election is scheduled to occur shall be held on the date
 24 of the presidential preferential primary election, preferential primary
 25 election, or general election.

26 (B)(i)(a) If a special election is
 27 held on the date of the presidential preferential primary election or
 28 preferential primary election, the issue or issues to be voted upon at the
 29 special election shall be included on the ballot of each political party.

30 (b) However, separate
 31 ballots containing only the issue or issues to be voted upon at the special
 32 election shall be prepared and made available to voters requesting a separate
 33 ballot.

34 (ii) No voter shall be
 35 required to vote in a political party's presidential preferential primary or
 36 preferential primary in order to be able to vote in the special election.

1 (2) Special elections scheduled to occur
2 in a month in which the second Tuesday is a legal holiday shall be held on
3 the third Tuesday of the month.

4 (C)(i) If this procedure is adopted by ordinance referred
5 to and approved by the voters of the city, the initial term for the alderman
6 designated as alderman number one of each ward shall be a four-year term at
7 the next general election.

8 (ii) The initial term for the alderman designated as
9 alderman number two of each ward shall be a two-year term at the next general
10 election, and thereafter shall be a four-year term, resulting in staggered
11 terms for the ward.

12 (D)(i) The city council may refer to voters an ordinance
13 on the question of returning the city to electing aldermen to two-year terms
14 using the procedures of this subdivision (a)(3).

15 (ii) If the voters approve returning a city to two-
16 year terms, all aldermen shall be elected to two-year terms at the next
17 general election and thereafter.

18 (E) The city council may not refer to voters another
19 question on electing aldermen to four-year terms or on returning the city to
20 electing aldermen to two-year terms unless at least four (4) years have
21 passed since the last election on changing the aldermanic terms.

22
23 SECTION 29. Arkansas Code § 14-44-106 is amended to read as follows:
24 14-44-106. Vacancy in mayor's office.

25 (a) Whenever a vacancy shall occur in the office of mayor in any city
26 of the second class, at the first regular meeting after the occurrence of the
27 vacancy, the city council shall proceed to either elect, by a majority vote
28 of the aldermen, a mayor to serve the unexpired term or call for a special
29 election to be held in accordance with § 14-42-206 to fill the vacancy. At
30 this election, a mayor shall be elected to fill out the unexpired term.

31 (b)(1) The special election shall occur on the second Tuesday of any
32 month, except as provided in subdivision (b)(2) of this section.

33 (2)(A)(i) Special elections held in months in which a
34 presidential preferential primary election, preferential primary election, or
35 general election is scheduled to occur shall be held on the date of the
36 presidential preferential primary election, preferential primary election, or

1 general election.

2 (ii)(a)(1) If a special election is held on the date
 3 of the presidential preferential primary election or preferential primary
 4 election, the issue or issues to be voted upon at the special election shall
 5 be included on the ballot of each political party.

6 (2) However, separate ballots containing
 7 only the issue or issues to be voted upon at the special election shall be
 8 prepared and made available to voters requesting a separate ballot.

9 (b) No voter shall be required to vote in a
 10 political party's presidential preferential primary election or preferential
 11 primary in order to be able to vote in the special election.

12 (B) Special elections scheduled to occur in a month in
 13 which the second Tuesday is a legal holiday shall be held on the third
 14 Tuesday of the month.

15
 16 SECTION 30. Arkansas Code § 14-47-106(b)(1)(A), concerning special
 17 elections on the issue of the city manager form of government, is amended to
 18 read as follows:

19 (b) The proceeding shall be in the following manner:

20 (1)(A)(i) When petitions therefor containing the signatures of
 21 electors equal in number to fifteen percent (15%) of the aggregate number of
 22 ballots cast for all candidates for mayor in the preceding general city
 23 election shall be presented to the mayor, the mayor shall, by proclamation,
 24 submit the question of organizing the city under the manager form of
 25 government to the electors of the city at a special election to be held not
 26 less than thirty (30) days after the date of the proclamation.

27 (ii) The proclamation shall be published at length
 28 in some newspaper published in the city for one (1) time, and notice of the
 29 election shall be published in some newspaper published in the city once a
 30 week for two (2) weeks, the first publication to be not less than fifteen
 31 (15) days before the date set for the election. No other notice of the
 32 election shall be necessary.

33 (iii)(a) The special election shall occur on the
 34 second Tuesday of any month, except as provided in subdivision
 35 (b)(1)(A)(iii)(b) of this section.

36 (b)(1)(A) Special elections held in months in

1 which a presidential preferential primary election, preferential primary
 2 election, or general election is scheduled to occur shall be held on the date
 3 of the presidential preferential primary election, preferential primary
 4 election, or general election.

5 (B)(i)(a) If a special election is
 6 held on the date of the presidential preferential primary election or
 7 preferential primary election, the issue or issues to be voted upon at the
 8 special election shall be included on the ballot of each political party.

9 (b) However, separate
 10 ballots containing only the issue or issues to be voted upon at the special
 11 election shall be prepared and made available to voters requesting a separate
 12 ballot.

13 (ii) No voter shall be
 14 required to vote in a political party's presidential preferential primary or
 15 preferential primary in order to be able to vote in the special election.

16 (2) Special elections scheduled to occur
 17 in a month in which the second Tuesday is a legal holiday shall be held on
 18 the third Tuesday of the month.

19
 20 SECTION 31. Arkansas Code § 14-47-110(a)(1), concerning the election
 21 of directors, is amended to read as follows:

22 (a) Candidates for the office of director shall be nominated and
 23 elected as follows:

24 (1)(A)(i) A special election to elect the initial membership of
 25 the board shall be called by the mayor as provided in § 14-47-106.

26 (ii) The mayor's proclamation shall be published
 27 through one (1) insertion in some newspaper having a bona fide circulation in
 28 the municipality not less than sixty (60) days before the date of the
 29 election.

30 (B)(i) A special election to fill any vacancy under § 14-
 31 47-113 shall be called through a resolution of the board of directors.

32 (ii) A proclamation announcing the holding of the
 33 election shall be signed by the mayor and published not less than sixty (60)
 34 days prior to the date of the election in some newspaper having a bona fide
 35 circulation in the municipality.

36 (C)(i) The special election shall occur on the second

1 Tuesday of any month, except as provided in subdivision (a)(1)(C)(ii) of this
 2 section.

3 (ii)(a)(1) Special elections held in months in which
 4 a presidential preferential primary election, preferential primary election,
 5 or general election is scheduled to occur shall be held on the date of the
 6 presidential preferential primary election, preferential primary election, or
 7 general election.

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

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

16 (B) No voter shall be required to
 17 vote in a political party's presidential preferential primary or
 18 preferential primary in order to be able to vote in the special election.

19 (b) Special elections scheduled to occur in a
 20 month in which the second Tuesday is a legal holiday shall be held on the
 21 third Tuesday of the month.

22
 23 SECTION 32. Arkansas Code § 14-48-104(b), concerning special elections
 24 on the issue of the city administrator form of government, is amended to read
 25 as follows:

26 (b)(1) If the number of signatures certified by the clerk is equal to,
 27 or greater than, fifteen percent (15%) of the aggregate number of votes cast,
 28 as prescribed, the Secretary of State shall, by proclamation, call a special
 29 election to be held not less than thirty (30) days nor more than ~~fifty (50)~~
 30 sixty (60) days from the date of the clerk's certification.

31 (2)(A) The special election shall occur on the second Tuesday of
 32 any month, except as provided in subdivision (b)(2)(B) of this section.

33 (B)(i)(a) Special elections held in months in which a
 34 presidential preferential primary election, preferential primary election, or
 35 general election is scheduled to occur shall be held on the date of the
 36 presidential preferential primary election, preferential primary election, or

1 general election.

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

6 (B) However, separate ballots
 7 containing only the issue or issues to be voted upon at the special election
 8 shall be prepared and made available to voters requesting a separate ballot.

9 (2) No voter shall be required to vote
 10 in a political party's presidential preferential primary or preferential
 11 primary in order to be able to vote in the special election.

12 (ii) Special elections scheduled to occur in a month
 13 in which the second Tuesday is a legal holiday shall be held on the third
 14 Tuesday of the month.

15
 16 SECTION 33. Arkansas Code § 14-48-105(b), concerning special elections
 17 on the issue of changing to another form of government, is amended to read as
 18 follows:

19 (b)(1) After the expiration of four (4) years from the date on which
 20 the first board of directors and mayor take office in a city organized under
 21 this chapter, a petition signed by electors equal in number to fifteen
 22 percent (15%) of the aggregate number of ballots cast for all candidates for
 23 mayor in the preceding general election may be presented to the mayor,
 24 calling for an election to consider any other form of municipal government
 25 authorized by the laws of this state.

26 (2)(A)(i) Thereupon, the mayor shall, by proclamation, submit
 27 the question of organization of the city under the form of government stated
 28 in the petition at a special election to be held at a time specified therein,
 29 not less than thirty (30) days after the date of the proclamation.

30 (ii) The proclamation shall be published at length
 31 in some newspaper having a general circulation in the city for one (1) time.

32 (B)(i) Notice of the election shall be published in some
 33 newspaper having a general circulation in the city one (1) time a week for
 34 two (2) weeks, the first publication to be not less than fifteen (15) days
 35 before the date set for the election.

36 (ii) No other notice of the election shall be

1 necessary.

2 (C)(i) The special election shall occur on the second
 3 Tuesday of any month, except as provided in subdivision (b)(2)(C)(ii) of this
 4 section.

5 (ii)(a)(1) Special elections held in months in which
 6 a presidential preferential primary election, preferential primary election,
 7 or general election is scheduled to occur shall be held on the date of the
 8 presidential preferential primary election, preferential primary election, or
 9 general election.

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

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

18 (B) No voter shall be required to
 19 vote in a political party's presidential preferential primary or preferential
 20 primary in order to be able to vote in the special election.

21 (b) Special elections scheduled to occur in a
 22 month in which the second Tuesday is a legal holiday shall be held on the
 23 third Tuesday of the month.

24
 25 SECTION 34. Arkansas Code § 14-48-108 is amended to read as follows:

26 14-48-108. Calling of elections for directors and mayor.

27 (a)(1) Within ten (10) days after the designation of the four (4)
 28 wards, the Secretary of State shall, by proclamation, call special primary
 29 and general elections to be held in the municipality for the purpose of
 30 electing seven (7) directors and a mayor.

31 (2)(A)(i) The primary election shall be held not less than ~~sixty~~
 32 ~~(60)~~ thirty (30) days nor more than seventy-five (75) days from the date of
 33 the proclamation.

34 (ii)(a) The primary election shall occur on the
 35 second Tuesday of any month, except as provided in subdivision
 36 (a)(2)(A)(ii)(b) of this section.

1 (b)(1)(A) Primary elections held in months in
 2 which a presidential preferential primary election, preferential primary
 3 election, or general election is scheduled to occur shall be held on the date
 4 of the preferential primary election or general election.

5 (B)(i)(a) If a primary election is
 6 held on the date of the presidential preferential primary election or
 7 preferential primary election, the issue or issues to be voted upon at the
 8 special election shall be included on the ballot of each political party.

9 (b) However, separate
 10 ballots containing only the issue or issues to be voted upon at the primary
 11 election shall be prepared and made available to voters requesting a separate
 12 ballot.

13 (ii) No voter shall be
 14 required to vote in a political party's presidential preferential primary or
 15 preferential primary in order to be able to vote in the primary election.

16 (2) Primary elections scheduled to occur
 17 in a month in which the second Tuesday is a legal holiday shall be held on
 18 the third Tuesday of the month.

19 (B) The general election shall be held on a Tuesday not
 20 less than seven (7) days nor more than fifteen (15) days after the primary
 21 election.

22 (b) These elections shall be called and conducted, and the results
 23 shall be determined and certified, as provided in § 14-48-109.

24
 25 SECTION 35. Arkansas Code § 14-48-114(b)(3), concerning special
 26 elections on the issue of the removal of mayors or directors, is amended to
 27 read as follows:

28 (3)(A) The county board of election commissioners shall call a
 29 special election on the question and shall fix a date for holding it not less
 30 than thirty (30) days nor more than ~~forty (40)~~ sixty (60) days from the date
 31 of the certification of the petitions by the clerk.

32 (B)(i) The special election shall occur on the second
 33 Tuesday of any month, except as provided in subdivision (b)(3)(B)(ii) of this
 34 section.

35 (ii)(a)(1) Special elections held in months in which
 36 a presidential preferential primary election, preferential primary election,

1 or general election is scheduled to occur shall be held on the date of the
 2 presidential preferential primary election, preferential primary election, or
 3 general election.

4 (2)(A)(i) If a special election is held
 5 on the date of the presidential preferential primary election or preferential
 6 primary election, the issue or issues to be voted upon at the special
 7 election shall be included on the ballot of each political party.

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

12 (B) No voter shall be required to
 13 vote in a political party's presidential preferential primary or
 14 preferential primary in order to be able to vote in the special election.

15 (b) Special elections scheduled to occur in a
 16 month in which the second Tuesday is a legal holiday shall be held on the
 17 third Tuesday of the month.

18
 19 SECTION 36. Arkansas Code § 14-57-704(a), concerning special elections
 20 on the issue of vehicle taxes, is amended to read as follows:

21 (a)(1) Before the vehicle tax levied by the governing body of any city
 22 of the first or second class or incorporated town upon vehicle owners
 23 residing in the city or town may be collected, the mayor shall call a special
 24 election.

25 (2)(A) This election shall be held not less than ~~twenty (20)~~
 26 ~~thirty (30)~~ days nor more than ~~thirty (30)~~ sixty (60) days from the date of
 27 the adoption of the levy of the tax by the governing body of the city or
 28 town, at which the qualified electors of the city or town shall vote on the
 29 question of the levy of the tax.

30 (B)(i) The special election shall occur on the second
 31 Tuesday of any month, except as provided in subdivision (a)(2)(B)(ii) of this
 32 section.

33 (ii)(a)(1) Special elections held in months in which
 34 a presidential preferential primary election, preferential primary election,
 35 or general election is scheduled to occur shall be held on the date of the
 36 presidential preferential primary election, preferential primary election, or

1 general election.

2 (2)(A)(i) If a special election is held
 3 on the date of the presidential preferential primary election or preferential
 4 primary election, the issue or issues to be voted upon at the special
 5 election shall be included on the ballot of each political party.

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

10 (B) No voter shall be required to
 11 vote in a political party's presidential preferential primary or preferential
 12 primary in order to be able to vote in the special election.

13 (b) Special elections scheduled to occur in a
 14 month in which the second Tuesday is a legal holiday shall be held on the
 15 third Tuesday of the month.

16
 17 SECTION 37. Arkansas Code § 14-61-113(1), concerning special elections
 18 under the City Manager Enabling Act of 1989, is amended to read as follows:

19 (1) A petition that calls for an election on one (1) particular
 20 option for selecting members of the board of directors using the form of the
 21 question outlined in § 14-61-115(b) shall be filed with the city clerk and
 22 provided to the mayor. The city clerk shall note on the petitions the date
 23 and time that they were filed. If such a petition contains the signatures of
 24 electors equal in number to fifteen percent (15%) of the number of ballots
 25 cast for the mayor, or if the mayor is not directly elected, for the director
 26 position receiving the highest number of votes, in the last general election,
 27 then the mayor shall, by proclamation, submit the question to the electors at
 28 a special election, provided:

29 (A)(i) The city clerk shall verify the number of
 30 signatures on the petitions within ten (10) days of the date they are filed.

31 (ii) If there are insufficient signatures on the
 32 petitions, the petitioners shall not receive any extensions for the petition.

33 (iii) If, however, there are a sufficient number of
 34 signatures on the petitions, but the city clerk is unable to verify the
 35 required number of signatures as those of qualified electors, then the
 36 petitioners will be given ten (10) days to provide a sufficient number of

1 verified signatures;

2 (B) The proclamation calling the special election shall be
3 issued within three (3) working days of the date the city clerk verifies the
4 number of signatures on the petitions;

5 (C)(i) The special election shall be held not less than
6 thirty (30) nor more than sixty (60) days after the proclamation calling the
7 election, provided that if the county board of election commissioners
8 certifies in writing that it cannot prepare the ballots because of other
9 pending elections, then the election can be held not more than seventy-five
10 (75) days after the proclamation.

11 (ii)(a) The special election shall occur on the
12 second Tuesday of any month, except as provided in subdivision (1)(C)(ii)(b)
13 of this section.

14 (b)(1)(A) Special elections held in months in
15 which a presidential preferential primary election, preferential primary
16 election, or general election is scheduled to occur shall be held on the date
17 of the presidential preferential primary election, preferential primary
18 election, or general election.

19 (B)(i)(a) If a special election is
20 held on the date of the presidential preferential primary election or
21 preferential primary election, the issue or issues to be voted upon at the
22 special election shall be included on the ballot of each political party.

23 (b) However, separate
24 ballots containing only the issue or issues to be voted upon at the special
25 election shall be prepared and made available to voters requesting a separate
26 ballot.

27 (ii) No voter shall be
28 required to vote in a political party's presidential preferential primary or
29 preferential primary in order to be able to vote in the special election.

30 (2) Special elections scheduled to occur
31 in a month in which the second Tuesday is a legal holiday shall be held on
32 the third Tuesday of the month.

33
34 SECTION 38. Arkansas Code § 14-72-303 is amended to read as follows:

35 14-72-303. Submission of question to electors - Special election.

36 (a) If the county court decides that it would be advantageous to issue

1 bonds under the authority of Arkansas Constitution, Amendment 17 [repealed],
2 this section, and §§ 14-72-301, 14-72-302, and 14-72-304 - 14-72-307, it
3 shall order the submission of the question to the qualified electors of the
4 county at the next general election.

5 (b)(1) However, if no general election for county and state officers
6 will, under the law, be held within one (1) year of the making of the order,
7 then the county court may, by order entered of record, call a special
8 election in the county. This election shall be held not less than thirty (30)
9 days nor more than sixty (60) days thereafter, and the county court shall
10 name the date therefor.

11 (2)(A) The special election shall occur on the second Tuesday of
12 any month, except as provided in subdivision (b)(2)(B) of this section.

13 (B)(i)(a) Special elections held in months in which a
14 presidential preferential primary election or preferential primary election
15 is scheduled to occur shall be held on the date of the presidential
16 preferential primary election or preferential primary election.

17 (b)(1)(A) If a special election is held on the
18 date of the presidential preferential primary election or preferential
19 primary election, the issue or issues to be voted upon at the special
20 election shall be included on the ballot of each political party.

21 (B) However, separate ballots
22 containing only the issue or issues to be voted upon at the special election
23 shall be prepared and made available to voters requesting a separate ballot.

24 (2) No voter shall be required to vote
25 in a political party's presidential preferential primary or preferential
26 primary in order to be able to vote in the special election.

27 (ii) Special elections scheduled to occur in a month
28 in which the second Tuesday is a legal holiday shall be held on the third
29 Tuesday of the month.

30 (c) The special election shall in all other respects be held as
31 provided by law for the conducting of general elections. It is made the duty
32 of the sheriff of the county, by proclamation duly made and published for the
33 time and in the manner provided by law, to give notice of the time and place
34 of holding the election.

35
36 SECTION 39. Arkansas Code § 14-72-606(b), concerning special elections

1 on the issue of revenue bonds, is amended to read as follows:

2 (b)(1) The ordinance shall set forth the form of ballot questions,
3 which shall include a statement of the purposes for which the revenue bonds
4 are to be issued and the proposed sources of repayment of the revenue bonds.

5 (2)(A) Notice of the election shall be given by the clerk of the
6 county or municipality by one (1) publication in a newspaper having general
7 circulation within the county or municipality not less than ten (10) days
8 prior to the election.

9 (B) No other publication or posting of a notice by any
10 other public official shall be required.

11 (3)(A) The election shall be held no earlier than thirty (30)
12 days after the date of adoption of the ordinance in which the election is
13 called by the legislative body.

14 (B)(i) The election shall occur on the second Tuesday of
15 any month, except as provided in subdivision (b)(3)(B)(ii) of this section.

16 (ii)(a)(1) Elections held in months in which a
17 presidential preferential primary election, preferential primary election, or
18 general election is scheduled to occur shall be held on the date of the
19 presidential preferential primary election, preferential primary election, or
20 general election.

21 (2)(A)(i) If an election is held on the
22 date of the presidential preferential primary election or preferential
23 primary election, the issue or issues to be voted upon at the election shall
24 be included on the ballot of each political party.

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

28 (B) No voter shall be required to
29 vote in a political party's presidential preferential primary or preferential
30 primary in order to be able to vote in the election.

31 (b) Elections scheduled to occur in a month in
32 which the second Tuesday is a legal holiday shall be held on the third
33 Tuesday of the month.

34
35 SECTION 40. Arkansas Code § 14-122-104 is amended to read as follows:
36 14-122-104. Filing referendum petitions - Special election.

1 (a) If petitions signed by not less than fifteen percent (15%) of the
 2 qualified electors voting on the office of mayor in the city at the last
 3 preceding general election shall be filed with the city clerk of the city
 4 within forty-five (45) days after the enactment of the ordinance creating the
 5 municipal drainage improvement district requesting that the ordinance be
 6 referred to a vote of the qualified electors of the district, the petitions
 7 shall be referred to the people at a special election to be called by the
 8 mayor of the municipality to be held not less than ~~forty-five (45)~~ thirty
 9 (30) days nor more than sixty (60) days after the filing of the petitions.

10 (b)(1) The special election shall occur on the second Tuesday of any
 11 month, except as provided in subdivision (b)(2) of this section.

12 (2)(A)(i) Special elections held in months in which a
 13 presidential preferential primary election, preferential primary election, or
 14 general election is scheduled to occur shall be held on the date of the
 15 presidential preferential primary election, preferential primary election, or
 16 general election.

17 (ii)(a)(1) If a special election is held on the date
 18 of the presidential preferential primary election or preferential primary
 19 election, the issue or issues to be voted upon at the special election shall
 20 be included on the ballot of each political party.

21 (2) However, separate ballots containing
 22 only the issue or issues to be voted upon at the special election shall be
 23 prepared and made available to voters requesting a separate ballot.

24 (b) No voter shall be required to vote in a
 25 political party's presidential preferential primary election or preferential
 26 primary in order to be able to vote in the special election.

27 (B) Special elections scheduled to occur in a month in
 28 which the second Tuesday is a legal holiday shall be held on the third
 29 Tuesday of the month.

30
 31 SECTION 41. Arkansas Code § 14-142-208(b), concerning elections on the
 32 issue of the issuance of bonds, is amended to read as follows:

33 (b)(1) Except as otherwise provided in this subchapter, the election
 34 shall be held and conducted in the same manner as a special or general
 35 election under the election laws of the state.

36 (2) The ordinance or order shall set forth the form of the

1 ballot question or questions in the form prescribed by Arkansas Constitution,
2 Amendment 30 or Amendment 38, as amended by Arkansas Constitution, Amendment
3 72.

4 (3) Notice of the election shall be given by the clerk of the
5 issuer by one (1) publication in a newspaper having general circulation
6 within the municipality or county not less than ten (10) days prior to the
7 election. No other publication or posting of a notice by any other public
8 official shall be required.

9 (4)(A) The election shall be held no earlier than thirty (30)
10 days after the date of adoption of the ordinance or entry of the order in
11 which the election is called.

12 (B)(i) The election shall occur on the second Tuesday of
13 any month, except as provided in subdivision (b)(4)(B)(ii) of this section.

14 (ii)(a)(1) Elections held in months in which a
15 presidential preferential primary election, preferential primary election, or
16 general election is scheduled to occur shall be held on the date of the
17 presidential preferential primary election, preferential primary election, or
18 general election.

19 (2)(A)(i) If an election is held on the
20 date of the presidential preferential primary election or preferential
21 primary election, the issue or issues to be voted upon at the election shall
22 be included on the ballot of each political party.

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

26 (B) No voter shall be required to
27 vote in a political party's presidential preferential primary or preferential
28 primary in order to be able to vote in the election.

29 (b) Elections scheduled to occur in a month in
30 which the second Tuesday is a legal holiday shall be held on the third
31 Tuesday of the month.

32
33 SECTION 42. Arkansas Code § 14-163-207(d), concerning special
34 elections on the issue of tax levies, is amended to read as follows:

35 (d)(1) At the time, date, and place specified in the notice, the
36 governing body of the city shall hold the hearing and shall determine and

1 make a finding as to whether or not the petition is signed by at least ten
2 percent (10%) of the owners of real property in the city.

3 (2)(A)(i) If the governing body finds that the petition is
4 signed by the requisite owners of real property, it shall adopt an ordinance
5 setting forth its finding and calling a special election to be held in the
6 city on the date specified in the ordinance, which shall not occur earlier
7 than thirty (30) days after the passage of the ordinance.

8 (ii) The ordinance shall be published one (1) time.

9 (iii)(a) The special election shall occur on the
10 second Tuesday of any month, except as provided in subdivision
11 (d)(2)(A)(iii)(b) of this section.

12 (b)(1)(A) Special elections held in months in
13 which a presidential preferential primary election, preferential primary
14 election, or general election is scheduled to occur shall be held on the date
15 of the presidential preferential primary election, preferential primary
16 election, or general election.

17 (B)(i)(a) If a special election is
18 held on the date of the presidential preferential primary election or
19 preferential primary election, the issue or issues to be voted upon at the
20 special election shall be included on the ballot of each political party.

21 (b) However, separate
22 ballots containing only the issue or issues to be voted upon at the special
23 election shall be prepared and made available to voters requesting a separate
24 ballot.

25 (ii) No voter shall be
26 required to vote in a political party's presidential preferential primary or
27 preferential primary in order to be able to vote in the special election.

28 (2) Special elections scheduled to occur
29 in a month in which the second Tuesday is a legal holiday shall be held on
30 the third Tuesday of the month.

31 (B) The finding that the petition is sufficient shall be
32 conclusive unless attacked in the courts within thirty (30) days after the
33 date of publication of the ordinance.

34 (C)(i) The ordinance shall contain at least the
35 information set forth in this section as required information to be included
36 in the petition.

1 (ii) In addition, the ordinance shall specify the
2 form of the ballot to be submitted to the electors.

3
4 SECTION 43. Arkansas Code § 14-164-309(e), concerning special election
5 on the issue of bond issuance, is amended to read as follows:

6 (e)(1) The election shall be held no earlier than thirty (30) days
7 after the date of adoption of the ordinance in which the election is called
8 by the legislative body.

9 (2)(A) The election shall occur on the second Tuesday of any
10 month, except as provided in subdivision (e)(2)(B) of this section.

11 (B)(i)(a) Elections held in months in which a presidential
12 preferential primary election, preferential primary election, or general
13 election is scheduled to occur shall be held on the date of the presidential
14 preferential primary election, preferential primary election, or general
15 election.

16 (b)(1)(A) If an election is held on the date
17 of the presidential preferential primary election or preferential primary
18 election, the issue or issues to be voted upon at the election shall be
19 included on the ballot of each political party.

20 (B) However, separate ballots
21 containing only the issue or issues to be voted upon at the election shall be
22 prepared and made available to voters requesting a separate ballot.

23 (2) No voter shall be required to vote
24 in a political party's presidential preferential primary or preferential
25 primary in order to be able to vote in the election.

26 (ii) Elections scheduled to occur in a month in
27 which the second Tuesday is a legal holiday shall be held on the third
28 Tuesday of the month.

29
30 SECTION 44. Arkansas Code § 14-174-103(a), concerning special
31 elections regarding the levy, increase, decrease, or repeal of taxes by local
32 governments, is amended to read as follows:

33 (a)(1) In addition to all other authority of local governments to levy
34 taxes provided by law, any county, acting through its quorum court, or any
35 municipality, acting through its governing body, may levy any tax. However,
36 no ordinance levying any tax authorized by this subchapter shall be valid

1 until adopted at a special or general election by qualified electors of the
 2 city or in the county where the tax is to be imposed, as the case may be. An
 3 election will also be required to increase, decrease, or repeal a tax levied
 4 pursuant to this subchapter.

5 (2)(A) A special election held under this section shall occur on
 6 the second Tuesday of any month, except as provided in subdivision (a)(2)(B)
 7 of this section.

8 (B)(i)(a) Special elections held in months in which a
 9 presidential preferential primary election, preferential primary election, or
 10 general election is scheduled to occur shall be held on the date of the
 11 presidential preferential primary election, preferential primary election, or
 12 general election.

13 (b)(1)(A) If a special election is held on the
 14 date of the presidential preferential primary election or preferential
 15 primary election, the issue or issues to be voted upon at the special
 16 election shall be included on the ballot of each political party.

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

20 (2) No voter shall be required to vote
 21 in a political party's presidential preferential primary or preferential
 22 primary in order to be able to vote in the special election.

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

26
 27 SECTION 45. Arkansas Code § 14-200-107 is amended to read as follows:

28 14-200-107. Election to authorize purchase by municipality.

29 (a) Any municipality may determine to acquire the property of a public
 30 utility as authorized under the provisions of this act by the vote of the
 31 municipal council or city commission, taken after a public hearing, of which
 32 at least thirty (30) days' notice has been given, and ratified and confirmed
 33 by a majority of the electors voting thereon at any general or special
 34 municipal election held not less than thirty (30) days after a passage of the
 35 vote of the municipal council or city commissioners.

36 (b)(1) A special election held under this section shall occur on the

1 second Tuesday of any month, except as provided in subdivision (b)(2) of this
 2 section.

3 (2)(A)(i) Special elections held in months in which a
 4 presidential preferential primary election, preferential primary election, or
 5 general election is scheduled to occur shall be held on the date of the
 6 presidential preferential primary election, preferential primary election, or
 7 general election.

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

12 (2) However, separate ballots containing
 13 only the issue or issues to be voted upon at the special election shall be
 14 prepared and made available to voters requesting a separate ballot.

15 (b) No voter shall be required to vote in a
 16 political party's presidential preferential primary or preferential primary
 17 in order to be able to vote in the special election.

18 (B) Special elections scheduled to occur in a month in
 19 which the second Tuesday is a legal holiday shall be held on the third
 20 Tuesday of the month.

21
 22 SECTION 46. Arkansas Code § 14-201-109(b), concerning special
 23 elections on the issue of abolition of a utility commission, is amended to
 24 read as follows:

25 (b)(1) If twenty-five percent (25%) of the electors of the city
 26 petition the city council to do so, a special election shall be ordered not
 27 later than fourteen (14) days from the date on which the petition was filed
 28 to be held within ~~thirty (30)~~ sixty (60) days after such order on the
 29 question whether the utility commission shall be abolished or continued. ~~If~~
 30 ~~the petition permits, the question may be submitted at a general election.~~

31 (2)(A) The special election shall occur on the second Tuesday of
 32 any month, except as provided in subdivision (b)(2)(B) of this section.

33 (B)(i)(a) Special elections held in months in which a
 34 presidential preferential primary election, preferential primary election, or
 35 general election is scheduled to occur shall be held on the date of the
 36 presidential preferential primary election, preferential primary election, or

1 general election.

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

6 (B) However, separate ballots
 7 containing only the issue or issues to be voted upon at the special election
 8 shall be prepared and made available to voters requesting a separate ballot.

9 (2) No voter shall be required to vote
 10 in a political party's presidential preferential primary or preferential
 11 primary in order to be able to vote in the special election.

12 (ii) Special elections scheduled to occur in a month
 13 in which the second Tuesday is a legal holiday shall be held on the third
 14 Tuesday of the month.

15 (3) A majority vote of the electorate shall determine the
 16 question.

17
 18 SECTION 47. Arkansas Code § 14-206-103(a), concerning special
 19 elections on the issue of the acquisition of the property of a gas or
 20 electric public utility, is amended to read as follows:

21 (a)(1) Any municipality may determine to seek approval from the
 22 commission to acquire the property of a gas or electric public utility as
 23 authorized under the provisions of this chapter by the vote of the municipal
 24 council, city commission, or governing body, taken after a public hearing, of
 25 which at least thirty (30) days' notice has been given by publication in
 26 newspapers having a general circulation within the municipality. This vote
 27 shall have been ratified and confirmed by a majority of the electors voting
 28 thereon at any general or special election held not less than thirty (30)
 29 days after a passage of the vote of the municipal council or city
 30 commissioners.

31 (2)(A) A special election held under this section shall occur on
 32 the second Tuesday of any month, except as provided in subdivision (a)(2)(B)
 33 of this section.

34 (B)(i)(a) Special elections held in months in which a
 35 presidential preferential primary election, preferential primary election, or
 36 general election is scheduled to occur shall be held on the date of the

1 presidential preferential primary election, preferential primary election, or
 2 general election.

3 (b)(1)(A) If a special election is held on the
 4 date of the presidential preferential primary election or preferential
 5 primary election, the issue or issues to be voted upon at the special
 6 election shall be included on the ballot of each political party.

7 (B) However, separate ballots
 8 containing only the issue or issues to be voted upon at the special election
 9 shall be prepared and made available to voters requesting a separate ballot.

10 (2) No voter shall be required to vote
 11 in a political party's presidential preferential primary or preferential
 12 primary in order to be able to vote in the special election.

13 (ii) Special elections scheduled to occur in a month
 14 in which the second Tuesday is a legal holiday shall be held on the third
 15 Tuesday of the month.

16
 17 SECTION 48. Arkansas Code § 14-283-102(a), concerning special
 18 elections on the issues of the establishment and financing of mosquito
 19 abatement districts, is amended to read as follows:

20 (a)(1) The special election called by the county court to submit the
 21 question of the establishment and financing of a mosquito abatement district
 22 to the electors of the proposed district shall be held within ninety (90)
 23 days after the filing of the petitions requesting the election.

24 (2)(A) The special election shall occur on the second Tuesday of
 25 any month, except as provided in subdivision (a)(2)(B) of this section.

26 (B)(i)(a) Special elections held in months in which a
 27 presidential preferential primary election, preferential primary election, or
 28 general election is scheduled to occur shall be held on the date of the
 29 presidential preferential primary election, preferential primary election, or
 30 general election.

31 (b)(1)(A) If a special election is held on the
 32 date of the presidential preferential primary election or preferential
 33 primary election, the issue or issues to be voted upon at the special
 34 election shall be included on the ballot of each political party.

35 (B) However, separate ballots
 36 containing only the issue or issues to be voted upon at the special election

1 shall be prepared and made available to voters requesting a separate ballot.

2 (2) No voter shall be required to vote
3 in a political party's presidential preferential primary or preferential
4 primary in order to be able to vote in the special election.

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

8
9 SECTION 49. Arkansas Code § 14-284-205(b), concerning special
10 elections on the issue of fire protection districts, is amended to read as
11 follows:

12 (b)(1) The county court, or county courts if the proposed fire
13 protection district is located in more than one county, shall call a special
14 election to submit the question of the establishment and financing of a fire
15 protection district to the electors of a proposed district.

16 (2)(A) The special election shall be held within ninety (90)
17 days after the filing of the petitions requesting the election.

18 (B)(i) The special election shall occur on the second
19 Tuesday of any month, except as provided in subdivision (b)(2)(B)(ii) of this
20 section.

21 (ii)(a)(1) Special elections held in months in which
22 a presidential preferential primary election, preferential primary election,
23 or general election is scheduled to occur shall be held on the date of the
24 presidential preferential primary election, preferential primary election, or
25 general election.

26 (2)(A)(i) If a special election is held
27 on the date of the presidential preferential primary election or preferential
28 primary election, the issue or issues to be voted upon at the special
29 election shall be included on the ballot of each political party.

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

34 (B) No voter shall be required to
35 vote in a political party's presidential preferential primary or preferential
36 primary in order to be able to vote in the special election.

1 (b) Special elections scheduled to occur in a
2 month in which the second Tuesday is a legal holiday shall be held on the
3 third Tuesday of the month.

4 (3) If the proposed fire protection district is located within
5 more than one (1) county, the county courts shall set the date of the
6 election on the same date and set the places of the election within the
7 proposed fire protection district boundaries.

8 (4) At the election, the question of establishing and financing
9 the district shall be placed on the ballot in substantially the following
10 form:

11
12 "FOR the establishment of a fire protection district in
13 (county), (designated area), and the levy of assessed
14
15 benefits on real property in the district to finance the district[]
16
17 AGAINST the establishment of a fire protection district in
18 (county), (designated area), and the levy of assessed
19
20 benefits on real property in the district to finance the district[]"

21
22 SECTION 50. Arkansas Code § 14-284-208(f), concerning special
23 elections on the issue of removal of members of the Board of Commissioners in
24 fire protection districts, is amended to read as follows:

25 (f)(1) If the district includes territory from more than one (1)
26 county, the board of commissioners shall be composed of seven (7) members:

27 (2) The members of the board of commissioners of multicounty
28 fire protection districts formed after July 3, 1995, under this subchapter,
29 shall be residents of the fire protection district and elected at a public
30 meeting as agreed upon by the county courts in order to establish the time of
31 the meeting and the place of the meeting being within the district. The
32 commissioners shall be elected by the qualified electors residing within the
33 district.

34 (3) The members of the board of commissioners shall serve
35 staggered terms.

36 (4) Vacancies occurring on the board due to resignation,

1 removal, or otherwise shall be filled by the remaining board members for the
2 unexpired term.

3 (5)(A)(i) Members of the board may be removed by a special
4 election to be held within ninety (90) days after the presentation of a
5 special election removal petition signed by ten percent (10%) of the assessed
6 landowners or the assessed per-parcel owners, with the removal of the board
7 member to be determined by the majority votes of the votes cast in person by
8 the assessed landowners or the assessed per-parcel property owners.

9 (ii) Each assessed landowner or assessed parcel
10 property owner shall have one (1) vote per paid assessment.

11 (B)(i) The election for the removal of board members shall
12 be held at a designated location within the fire protection district.

13 (ii)(a) The election shall occur on the second
14 Tuesday of any month, except as provided in subdivision (f)(5)(B)(ii)(b) of
15 this section.

16 (b)(1)(A) Elections held in months in which a
17 presidential preferential primary election, preferential primary election, or
18 general election is scheduled to occur shall be held on the date of the
19 presidential preferential primary election, preferential primary election, or
20 general election.

21 (B)(i)(a) If an election is held
22 on the date of the presidential preferential primary election or preferential
23 primary election, the issue or issues to be voted upon at the election shall
24 be included on the ballot of each political party.

25 (b) However, separate
26 ballots containing only the issue or issues to be voted upon at the election
27 shall be prepared and made available to voters requesting a separate ballot.

28 (ii) No voter shall be
29 required to vote in a political party's presidential preferential primary or
30 preferential primary in order to be able to vote in the election.

31 (2) Elections scheduled to occur in a
32 month in which the second Tuesday is a legal holiday shall be held on the
33 third Tuesday of the month.

34
35 SECTION 51. Arkansas Code § 14-284-224(b), concerning special
36 elections on the issue of annexation of territory to an existing fire

1 protection district, is amended to read as follows:

2 (b)(1)(A) The special election called by the quorum court to submit
3 the question of the annexation and financing of the fire protection district
4 to the electors of the district and the area to be annexed shall be held
5 within ninety (90) days after the quorum court received notification from the
6 board of commissioners.

7 (B)(i) The special election shall occur on the second
8 Tuesday of any month, except as provided in subdivision (b)(1)(B)(ii) of this
9 section.

10 (ii)(a)(1) Special elections held in months in which
11 a presidential preferential primary election, preferential primary election,
12 or general election is scheduled to occur shall be held on the date of the
13 presidential preferential primary election, preferential primary election, or
14 general election.

15 (2)(A)(i) If a special election is held
16 on the date of the presidential preferential primary election or preferential
17 primary election, the issue or issues to be voted upon at the special
18 election shall be included on the ballot of each political party.

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

23 (B) No voter shall be required to
24 vote in a political party's presidential preferential primary or preferential
25 primary in order to be able to vote in the special election.

26 (b) Special elections scheduled to occur in a
27 month in which the second Tuesday is a legal holiday shall be held on the
28 third Tuesday of the month.

29 (2) At the election, the question of annexing the area to the
30 district and the financing of the district shall be placed on the ballot in
31 substantially the following form:

32 "FOR the annexation of. (description of area to be
33 annexed), and the levy of assessed benefits on real property within the area
34 to be annexed to help finance the district []

35 AGAINST the annexation of. (description of area to be annexed),
36 and the levy of assessed benefits on real property within the area to be

1 annexed to help finance the district []"

2

3 SECTION 52. Arkansas Code § 14-286-103(a), concerning special
4 elections on the issue of red imported fire ant abatement districts, is
5 amended to read as follows:

6 (a)(1) The special election called by the county court to submit the
7 question of the establishment and financing of a red imported fire ant
8 abatement district to the electors of the proposed district shall be held
9 within ninety (90) days after the petitions requesting the election have been
10 filed with the county court.

11 (2)(A) The special election shall occur on the second Tuesday of
12 any month, except as provided in subdivision (a)(2)(B) of this section.

13 (B)(i)(a) Special elections held in months in which a
14 presidential preferential primary election, preferential primary election, or
15 general election is scheduled to occur shall be held on the date of the
16 presidential preferential primary election, preferential primary election, or
17 general election.

18 (b)(1)(A) If a special election is held on the
19 date of the presidential preferential primary election or preferential
20 primary election, the issue or issues to be voted upon at the special
21 election shall be included on the ballot of each political party.

22 (B) However, separate ballots
23 containing only the issue or issues to be voted upon at the special election
24 shall be prepared and made available to voters requesting a separate ballot.

25 (2) No voter shall be required to vote
26 in a political party's presidential preferential primary or preferential
27 primary in order to be able to vote in the special election.

28 (ii) Special elections scheduled to occur in a month
29 in which the second Tuesday is a legal holiday shall be held on the third
30 Tuesday of the month.

31

32 SECTION 53. Arkansas Code § 14-387-301 is amended to read as follows:
33 14-387-301. Order for election.

34 (a) Whenever twenty-five percent (25%) of the qualified electors of
35 three (3) or more townships in any county in this state, as shown by the
36 election returns for Governor at the last general election preceding the date

1 of the petition, shall petition the county court for the privilege of voting
 2 on the question of restraining horses, mules, asses, cattle, goats, swine,
 3 and sheep, or any two (2) or more of these animals, or the male species of
 4 them, from running at large, the court shall make an order for an election in
 5 the townships, to be held at any general or special election for state or
 6 county officers.

7 (b) If petitioners shall file with their petition proper bond to be
 8 approved by the court conditioned to pay all the cost and expense of a
 9 special election, the court may call an election at any time upon the filing
 10 of the petition by giving notice of it as provided by law for general
 11 elections, if the petition shall contain twenty-five percent (25%) of the
 12 qualified electors residing within each township mentioned in the petition.

13 (c)(1) Any special election held under this section shall occur on the
 14 second Tuesday of any month, except as provided in subdivision (c)(2) of this
 15 section.

16 (2)(A)(i) Special elections held in months in which a
 17 presidential preferential primary election, preferential primary election, or
 18 general election is scheduled to occur shall be held on the date of the
 19 presidential preferential primary election, preferential primary election, or
 20 general election.

21 (ii)(a)(1) If a special election is held on the date
 22 of the presidential preferential primary election or preferential primary
 23 election, the issue or issues to be voted upon at the special election shall
 24 be included on the ballot of each political party.

25 (2) However, separate ballots containing
 26 only the issue or issues to be voted upon at the special election shall be
 27 prepared and made available to voters requesting a separate ballot.

28 (b) No voter shall be required to vote in a
 29 political party's presidential preferential primary or preferential primary
 30 in order to be able to vote in the special election.

31 (B) Special elections scheduled to occur in a month in
 32 which the second Tuesday is a legal holiday shall be held on the third
 33 Tuesday of the month.

34
 35 SECTION 54. Arkansas Code § 15-4-3020(b), concerning special elections
 36 on the issue of certain general obligation improvement bonds, is amended to

1 read as follows:

2 (b)(1) The proclamation shall be issued at least sixty (60) calendar
3 days prior to the date fixed by the proclamation for the election, and notice
4 of the special election shall be given by publication of the proclamation by
5 one (1) insertion in one (1) newspaper of general circulation published in
6 each county in the state not less than thirty (30) calendar days prior to the
7 date of the election.

8 (2)(A) The special election shall occur on the second Tuesday of
9 any month, except as provided in subdivision (b)(2)(B) of this section.

10 (B)(i)(a) Special elections held in months in which a
11 presidential preferential primary election, preferential primary election, or
12 general election is scheduled to occur shall be held on the date of the
13 presidential preferential primary election, preferential primary election, or
14 general election.

15 (b)(1)(A) If a special election is held on the
16 date of the presidential preferential primary election or preferential
17 primary election, the issue or issues to be voted upon at the special
18 election shall be included on the ballot of each political party.

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

22 (2) No voter shall be required to vote
23 in a political party's presidential preferential primary or preferential
24 primary in order to be able to vote in the special election.

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

28
29 SECTION 55. Arkansas Code § 15-43-204 is amended to read as follows:

30 15-43-204. Local election to redetermine doe killing area.

31 (a)(1) Whenever fifty (50) or more qualified electors residing within
32 an area wholly or partly located within their particular county, which has
33 been designated by regulation of the Arkansas State Game and Fish Commission
34 as a doe killing area, shall petition the appropriate county court, praying
35 that an election be held to determine whether or not such area or portion
36 thereof should remain a doe killing area, the county court shall order a

1 special election to be held not more than thirty (30) days after the date of
2 filing of the petition.

3 (2)(A) The special election shall occur on the second Tuesday of
4 any month, except as provided in subdivision (a)(2)(B) of this section.

5 (B)(i)(a) Special elections held in months in which a
6 presidential preferential primary election, preferential primary election, or
7 general election is scheduled to occur shall be held on the date of the
8 presidential preferential primary election, preferential primary election, or
9 general election.

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

14 (B) However, separate ballots
15 containing only the issue or issues to be voted upon at the special election
16 shall be prepared and made available to voters requesting a separate ballot.

17 (2) No voter shall be required to vote
18 in a political party's presidential preferential primary or preferential
19 primary in order to be able to vote in the special election.

20 (ii) Special elections scheduled to occur in a month
21 in which the second Tuesday is a legal holiday shall be held on the third
22 Tuesday of the month.

23 (3) Notice of the election shall be given in a newspaper of
24 general circulation within the county, not less than fifteen (15) days prior
25 to the election.

26 (4) Only those qualified electors residing within the affected
27 area or portion thereof, which is located within the county where the
28 election is held, may vote in the election.

29 (5) Except as provided in this section, the election shall be
30 held in conformity with the general election laws of this state.

31 (b) At the election it shall not be necessary to have a ballot title,
32 but there shall be printed on the ballot the following:

33
34 "FOR ARKANSAS GAME AND FISH COMMISSION REGULATION PERMITTING THE KILLING
35 OF DOES IN []
36

1 (describe area affected)

2

3 AGAINST ARKANSAS GAME AND FISH COMMISSION REGULATION PERMITTING THE
4 KILLING OF DOES IN []

5

6 (describe area affected)"

7 (c)(1) If a majority of the qualified electors voting at the election
8 vote for the commission regulation, the area or portion thereof within the
9 county shall remain a doe killing area in accordance with the regulation.

10 (2) If a majority of the qualified electors voting at the
11 election vote against the commission regulation, the regulation shall no
12 longer have any force or effect with respect to the area or portion thereof
13 located within the county wherein the election was held, and the killing of
14 doe deer therein shall be unlawful.

15

16 SECTION 56. Arkansas Code § 23-110-306(b), concerning special
17 elections on the issue of horse racing, is amended to read as follows:

18 (b)(1)(A) The date of the special election shall be fixed by the board
19 on a day not less than thirty (30) days nor more than ninety (90) days
20 following the date of the filing of the petitions. The deposit of the funds,
21 and the election, shall be conducted and shall be subject to contest under
22 the general election laws of this state.

23 (B)(i) The special election shall occur on the second
24 Tuesday of any month, except as provided in subdivision (b)(1)(B)(ii) of this
25 section.

26 (ii)(a)(1) Special elections held in months in which
27 a presidential preferential primary election, preferential primary election,
28 or general election is scheduled to occur shall be held on the date of the
29 presidential preferential primary election, preferential primary election, or
30 general election.

31 (2)(A)(i) If a special election is held
32 on the date of the presidential preferential primary election or preferential
33 primary election, the issue or issues to be voted upon at the special
34 election shall be included on the ballot of each political party.

35 (ii) However, separate
36 ballots containing only the issue or issues to be voted upon at the special

1 election shall be prepared and made available to voters requesting a separate
 2 ballot.

3 (B) No voter shall be required to vote in a
 4 political party's presidential preferential primary or preferential primary
 5 in order to be able to vote in the special election.

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

9 (2) The proposition printed on the ballot shall be "FOR Horse
 10 Racing" and "AGAINST Horse Racing".

11 (3) By published notice, the board shall proclaim the results of
 12 the election and shall also certify the results to the commission.

13 (4) All contests in relation to the results of the election
 14 shall be commenced within twenty (20) days next following the date of
 15 publication of notice as given pursuant to this subsection.

16
 17 SECTION 57. Arkansas Code § 23-111-306(b), concerning special
 18 elections on the issue of greyhound racing, is amended to read as follows:

19 (b)(1)(A) The date of the special election shall be fixed by the board
 20 on a day not less than thirty (30) days nor more than ninety (90) days
 21 following the date of the filing of the petitions. The deposit of the funds
 22 as provided in subsection (a) of this section, and the election, shall be
 23 conducted and shall be subject to contest under the general election laws of
 24 this state.

25 (B)(i) The special election shall occur on the second
 26 Tuesday of any month, except as provided in subdivision (b)(1)(B)(ii) of this
 27 section.

28 (ii)(a)(1) Special elections held in months in which
 29 a presidential preferential primary election, preferential primary election,
 30 or general election is scheduled to occur shall be held on the date of the
 31 presidential preferential primary election, preferential primary election, or
 32 general election.

33 (2)(A)(i) If a special election is held
 34 on the date of the presidential preferential primary election or preferential
 35 primary election, the issue or issues to be voted upon at the special
 36 election shall be included on the ballot of each political party.

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

5 (B) No voter shall be required to
 6 vote in a political party's presidential preferential primary or preferential
 7 primary in order to be able to vote in the special election.

8 (b) Special elections scheduled to occur in a
 9 month in which the second Tuesday is a legal holiday shall be held on the
 10 third Tuesday of the month.

11 (2) The proposition printed on the ballot shall be "FOR
 12 Greyhound Racing" and "AGAINST Greyhound Racing".

13 (3) By published notice, the board shall proclaim the results of
 14 the election and shall also certify the results to the Arkansas Racing
 15 Commission.

16 (4) All contests in relation to the results of the election
 17 shall be commenced within twenty (20) days next following the date of
 18 publication of notice as provided in subsection (a) of this section.

19
 20 SECTION 58. Arkansas Code § 24-11-402(b), concerning elections
 21 regarding police officer's pensions, is amended to read as follows:

22 (b)(1) The election may be held in connection with the first general
 23 city election following the passage and approval of this subchapter, but the
 24 failure to submit at that city or other election shall not defeat the right
 25 of submission at any subsequent election.

26 (2)(A) Any special election held under this section shall occur
 27 on the second Tuesday of any month, except as provided in subdivision
 28 (b)(2)(B) of this section.

29 (B)(i)(a) Special elections held in months in which a
 30 presidential preferential primary election, preferential primary election, or
 31 general election is scheduled to occur shall be held on the date of the
 32 presidential preferential primary election, preferential primary election, or
 33 general election.

34 (b)(1)(A) If a special election is held on the
 35 date of the presidential preferential primary election or preferential
 36 primary election, the issue or issues to be voted upon at the special

1 election shall be included on the ballot of each political party.

2 (B) However, separate ballots
 3 containing only the issue or issues to be voted upon at the special election
 4 shall be prepared and made available to voters requesting a separate ballot.

5 (2) No voter shall be required to vote
 6 in a political party's presidential preferential primary or preferential
 7 primary in order to be able to vote in the special election.

8 (ii) Special elections scheduled to occur in a month
 9 in which the second Tuesday is a legal holiday shall be held on the third
 10 Tuesday of the month.

11
 12 SECTION 59. Arkansas Code § 24-11-404(d), concerning votes on tax
 13 levies for pensions in cities of first and second class, is amended to read
 14 as follows:

15 (d)(1) A vote on the question of the tax provided for in this section
 16 shall be had in the same manner that the Constitution and laws of this state
 17 provide for the initiation of measures in municipalities.

18 (2)(A) Any special election held under this section shall occur
 19 on the second Tuesday of any month, except as provided in subdivision
 20 (d)(2)(B) of this section.

21 (B)(i)(a) Special elections held in months in which a
 22 presidential preferential primary election, preferential primary election, or
 23 general election is scheduled to occur shall be held on the date of the
 24 presidential preferential primary election, preferential primary election, or
 25 general election.

26 (b)(1)(A) If a special election is held on the
 27 date of the presidential preferential primary election or preferential
 28 primary election, the issue or issues to be voted upon at the special
 29 election shall be included on the ballot of each political party.

30 (B) However, separate ballots
 31 containing only the issue or issues to be voted upon at the special election
 32 shall be prepared and made available to voters requesting a separate ballot.

33 (2) No voter shall be required to vote
 34 in a political party's presidential preferential primary or preferential
 35 primary in order to be able to vote in the special election.

36 (ii) Special elections scheduled to occur in a month

1 in which the second Tuesday is a legal holiday shall be held on the third
 2 Tuesday of the month.

3
 4 SECTION 60. Arkansas Code § 24-11-812(d), concerning votes regarding
 5 firefighter's pensions, is amended to read as follows:

6 (d)(1) A vote on the question of the tax provided for in this section
 7 shall be had in the same manner that the Constitution and laws of this state
 8 provide for the initiation of measures in municipalities.

9 (2)(A) Any special election held under this section shall occur
 10 on the second Tuesday of any month, except as provided in subdivision
 11 (d)(2)(B) of this section.

12 (B)(i)(a) Special elections held in months in which a
 13 presidential preferential primary election, preferential primary election, or
 14 general election is scheduled to occur shall be held on the date of the
 15 presidential preferential primary election, preferential primary election, or
 16 general election.

17 (b)(1)(A) If a special election is held on the
 18 date of the presidential preferential primary election or preferential
 19 primary election, the issue or issues to be voted upon at the special
 20 election shall be included on the ballot of each political party.

21 (B) However, separate ballots
 22 containing only the issue or issues to be voted upon at the special election
 23 shall be prepared and made available to voters requesting a separate ballot.

24 (2) No voter shall be required to vote
 25 in a political party's presidential preferential primary or preferential
 26 primary in order to be able to vote in the special election.

27 (ii) Special elections scheduled to occur in a month
 28 in which the second Tuesday is a legal holiday shall be held on the third
 29 Tuesday of the month.

30
 31 SECTION 61. Arkansas Code § 26-52-605(b), concerning special elections
 32 concerning sales tax levies, is amended to read as follows:

33 (b)(1) The special election shall be called not later than ninety (90)
 34 days nor earlier than ~~sixty (60)~~ forty-five (45) days following the adoption
 35 of the ordinance by the governing body of the city or town, or the filing of
 36 petitions requesting the election.

1 (2)(A) The special election shall occur on the second Tuesday of
 2 any month, except as provided in subdivision (b)(2)(B) of this section.

3 (B)(i)(a) Special elections held in months in which a
 4 presidential preferential primary election, preferential primary election, or
 5 general election is scheduled to occur shall be held on the date of the
 6 presidential preferential primary election, preferential primary election, or
 7 general election.

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

12 (B) However, separate ballots
 13 containing only the issue or issues to be voted upon at the special election
 14 shall be prepared and made available to voters requesting a separate ballot.

15 (2) No voter shall be required to vote
 16 in a political party's presidential preferential primary or preferential
 17 primary in order to be able to vote in the special election.

18 (ii) Special elections scheduled to occur in a month
 19 in which the second Tuesday is a legal holiday shall be held on the third
 20 Tuesday of the month.

21
 22 SECTION 62. Arkansas Code § 26-73-111(c), concerning special elections
 23 on the issue of special local sales and use taxes, is amended to read as
 24 follows:

25 (c)(1) The special election shall be called for a date within one
 26 hundred twenty (120) days from the date of the action of the governing body
 27 in establishing the date of the election. ~~The date for the special election~~
 28 ~~may be the same as the date for the next regular county or municipal~~
 29 ~~election, if such election is to be held within the one hundred twenty-day~~
 30 ~~period.~~

31 (2)(A) The special election shall occur on the second Tuesday of
 32 any month, except as provided in subdivision (c)(2)(B) of this section.

33 (B)(i)(a) Special elections held in months in which a
 34 presidential preferential primary election, preferential primary election, or
 35 general election is scheduled to occur shall be held on the date of the
 36 presidential preferential primary election, preferential primary election, or

1 general election.

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

6 (B) However, separate ballots
 7 containing only the issue or issues to be voted upon at the special election
 8 shall be prepared and made available to voters requesting a separate ballot.

9 (2) No voter shall be required to vote
 10 in a political party's presidential preferential primary or preferential
 11 primary in order to be able to vote in the special election.

12 (ii) Special elections scheduled to occur in a month
 13 in which the second Tuesday is a legal holiday shall be held on the third
 14 Tuesday of the month.

15
 16 SECTION 63. Arkansas Code § 26-74-210(a), concerning special elections
 17 on the issue of a resubmitted question of levy or repeal, is amended to read
 18 as follows:

19 (a)(1) When the question of the levy or repeal of a county sales and
 20 use tax is submitted to the electors and the proposition is approved or
 21 defeated, the question shall not again be submitted to the electors by
 22 ordinance of the quorum court of the county or by petition of electors at a
 23 special or general election for a period of six (6) months from the date the
 24 proposition was last voted upon.

25 (2)(A) Petitions requesting that the issue be submitted to the
 26 electors of the county shall contain the signatures of at least fifteen
 27 percent (15%) of the electors of the county as determined by the total number
 28 of votes cast for all candidates for circuit clerk of the county at the last
 29 preceding general election.

30 (B) The petitions shall be filed and verified by the
 31 county clerk. If the petitions are found to be sufficient, the issue shall be
 32 submitted to the electors at a special election or at the next general
 33 election as may be requested by the petitions.

34 (C)(i) If the petitions request that the issue be
 35 submitted at a special election, the special election shall be called for a
 36 date not less than thirty (30) nor more than sixty (60) days from the date on

1 which the clerk certifies the sufficiency of the petitions to the county
2 board of election commissioners.

3 (ii)(a) The special election shall occur on the
4 second Tuesday of any month, except as provided in subdivision
5 (a)(2)(C)(ii)(b) of this section.

6 (b)(1)(A) Special elections held in months in
7 which a presidential preferential primary election, preferential primary
8 election, or general election is scheduled to occur shall be held on the date
9 of the presidential preferential primary election, preferential primary
10 election, or general election.

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

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

19 (ii) No voter shall be
20 required to vote in a political party's presidential preferential primary or
21 preferential primary in order to be able to vote in the special election.

22 (2) Special elections scheduled to occur
23 in a month in which the second Tuesday is a legal holiday shall be held on
24 the third Tuesday of the month.

25
26 SECTION 64. Arkansas Code § 26-74-603(b), concerning special elections
27 on the issue of a countywide sales and use tax, is amended to read as
28 follows:

29 (b)(1) No ordinance shall be adopted by the quorum court of an
30 eligible county for the purpose of levying a tax under this subchapter unless
31 the quorum court shall have been requested so to do by the local board and
32 until a majority of the qualified electors of the eligible county voting on
33 the question at a general or special election shall have approved levy of the
34 tax. The election shall be called by ordinance and shall be held no earlier
35 than thirty (30) days after the adoption of the ordinance. The ballot for the
36 election shall be subject to the approval of the local board.

1 (2)(A) The election shall occur on the second Tuesday of any
 2 month, except as provided in subdivision (b)(2)(B) of this section.

3 (B)(i)(a) Elections held in months in which a presidential
 4 preferential primary election, preferential primary election, or general
 5 election is scheduled to occur shall be held on the date of the presidential
 6 preferential primary election, preferential primary election, or general
 7 election.

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

12 (B) However, separate ballots
 13 containing only the issue or issues to be voted upon at the election shall be
 14 prepared and made available to voters requesting a separate ballot.

15 (2) No voter shall be required to vote
 16 in a political party's presidential preferential primary or preferential
 17 primary in order to be able to vote in the election.

18 (ii) Elections scheduled to occur in a month in
 19 which the second Tuesday is a legal holiday shall be held on the third
 20 Tuesday of the month.

21
 22 SECTION 65. Arkansas Code § 26-75-208(a), concerning special elections
 23 on the issue of local sales and use taxes for the benefit of the city, is
 24 amended to read as follows:

25 (a)(1) On the date of adoption of an ordinance levying a local sales
 26 and use tax for the benefit of the city, or within thirty (30) days following
 27 the adoption of such ordinance, the city shall provide, by ordinance, for the
 28 calling and holding of a special election on the question.

29 (2)(A) The special election shall be called for a date within
 30 one hundred twenty (120) days from the date of action of the governing body
 31 in establishing the date of election.

32 (B)(i) The special election shall occur on the second
 33 Tuesday of any month, except as provided in subdivision (a)(2)(B)(ii) of this
 34 section.

35 (ii)(a)(1) Special elections held in months in which
 36 a presidential preferential primary election, preferential primary election,

1 or general election is scheduled to occur shall be held on the date of the
 2 presidential preferential primary election, preferential primary election, or
 3 general election.

4 (2)(A)(i) If a special election is held
 5 on the date of the presidential preferential primary election or preferential
 6 primary election, the issue or issues to be voted upon at the special
 7 election shall be included on the ballot of each political party.

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

12 (B) No voter shall be required to
 13 vote in a political party's presidential preferential primary or preferential
 14 primary in order to be able to vote in the special election.

15 (b) Special elections scheduled to occur in a
 16 month in which the second Tuesday is a legal holiday shall be held on the
 17 third Tuesday of the month.

18 (3) The date for the special election may be the same as the
 19 date for the next regular municipal election if the election is to be held
 20 within the one-hundred-twenty-day period.

21 (4) The governing body of the city shall notify the county board
 22 of election commissioners that the measure has been referred to the vote of
 23 the people and shall submit a copy of the ballot title to the board.

24
 25 SECTION 66. Arkansas Code § 26-75-213(a), concerning special elections
 26 on the issue of resubmitted city sales and use taxes, is amended to read as
 27 follows:

28 (a)(1) Except as provided in § 26-75-210 and in subsection (b) of this
 29 section, when the question of the levy or repeal of a city sales and use tax
 30 is submitted to the electors and the proposition is approved or defeated, the
 31 question shall not again be submitted to the electors by ordinance of the
 32 governing body of the city or by petition of electors for a period of six (6)
 33 months from the date the proposition was last voted upon.

34 (2) Petitions requesting that the issue be submitted to the
 35 electors of the city shall contain the signatures of at least fifteen percent
 36 (15%) of the electors of the city as determined by the total number of votes

1 cast for all candidates for mayor of the city at the last preceding general
2 election.

3 (3) The petitions shall be filed with and verified by the city
4 clerk. If the petitions are found to be sufficient, the issue shall be
5 submitted to the electors at a special election or the next general election
6 as may be requested by the petitions.

7 (4)(A) If the petitions request that the issue be submitted at a
8 special election, the special election shall be called for a date not less
9 than thirty (30) days nor more than sixty (60) days from the date on which
10 the clerk certifies the sufficiency of the petitions to the governing body of
11 the city.

12 (B)(i) The special election shall occur on the second
13 Tuesday of any month, except as provided in subdivision (a)(4)(B)(ii) of this
14 section.

15 (ii)(a)(1) Special elections held in months in which
16 a presidential preferential primary election, preferential primary election,
17 or general election is scheduled to occur shall be held on the date of the
18 presidential preferential primary election, preferential primary election, or
19 general election.

20 (2)(A)(i) If a special election is held
21 on the date of the presidential preferential primary election or preferential
22 primary election, the issue or issues to be voted upon at the special
23 election shall be included on the ballot of each political party.

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

28 (B) No voter shall be required to
29 vote in a political party's presidential preferential primary or preferential
30 primary in order to be able to vote in the special election.

31 (b) Special elections scheduled to occur in a
32 month in which the second Tuesday is a legal holiday shall be held on the
33 third Tuesday of the month.

34
35 SECTION 67. Arkansas Code § 26-75-308(a), concerning special elections
36 on the issue of a sales tax for capitol improvements, is amended to read as

1 follows:

2 (a)(1) On the date of adoption of an ordinance levying a local sales
3 and use tax for the benefit of the city, or within thirty (30) days following
4 the adoption of the ordinance, the city shall provide, by ordinance, for the
5 calling and holding of a special election on the question.

6 (2)(A) The special election shall be called for a date within
7 one hundred twenty (120) days from the date of action of the governing body
8 in establishing the date of election.

9 ~~(B)(i) The date for the special election may be the same~~
10 ~~as the date for the next regular municipal election if the election is to be~~
11 ~~held within the one hundred twenty day period.~~ The special election shall
12 occur on the second Tuesday of any month, except as provided in subdivision
13 (a)(2)(B)(ii) of this section.

14 (ii)(a)(1) Special elections held in months in which
15 a presidential preferential primary election, preferential primary election,
16 or general election is scheduled to occur shall be held on the date of the
17 presidential preferential primary election, preferential primary election, or
18 general election.

19 (2)(A)(i) If a special election is held
20 on the date of the presidential preferential primary election or preferential
21 primary election, the issue or issues to be voted upon at the special
22 election shall be included on the ballot of each political party.

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

27 (B) No voter shall be required to
28 vote in a political party's presidential preferential primary or preferential
29 primary in order to be able to vote in the special election.

30 (b) Special elections scheduled to occur in a
31 month in which the second Tuesday is a legal holiday shall be held on the
32 third Tuesday of the month.

33 (3) The governing body of the city shall notify the county board
34 of election commissioners that the measure has been referred to the vote of
35 the people and shall submit a copy of the ballot title to the board.

36

1 SECTION 68. Arkansas Code § 26-75-404(a), concerning special elections
2 on the issue of temporary taxes for acquisition, construction, or improvement
3 of parks and effective until the contingency in Acts 2003, No. 1273, § 88 is
4 met, is amended to read as follows:

5 (a)(1) When the governing body of any city or town adopts an ordinance
6 levying a local sales and use tax as authorized in this subchapter, the
7 governing body shall provide, either in the ordinance levying the tax or in a
8 separate ordinance, for submission of the question of the levy to the
9 qualified electors of the city or town either at the next regular municipal
10 election or at a special election.

11 (2)(A) If the ordinance provides for submitting the question at
12 a special election, the election shall be called for a date not less than
13 sixty (60) nor more than ninety (90) days from the date of the adoption of
14 the ordinance calling the election.

15 (B)(i) The special election shall occur on the second
16 Tuesday of any month, except as provided in subdivision (a)(2)(B)(ii) of this
17 section.

18 (ii)(a)(1) Special elections held in months in which
19 a presidential preferential primary election, preferential primary election,
20 or general election is scheduled to occur shall be held on the date of the
21 preferential primary election or general election.

22 (2)(A)(i) If a special election is held
23 on the date of the presidential preferential primary election or preferential
24 primary election, the issue or issues to be voted upon at the special
25 election shall be included on the ballot of each political party.

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

30 (B) No voter shall be required to
31 vote in a political party's presidential preferential primary or preferential
32 primary in order to be able to vote in the special election.

33 (b) Special elections scheduled to occur in a
34 month in which the second Tuesday is a legal holiday shall be held on the
35 third Tuesday of the month.

36

1 SECTION 69. Arkansas Code § 26-75-404, concerning special elections on
2 the issue of temporary taxes for acquisition, construction, or improvement of
3 parks and effective when the contingency in Acts 2003, No. 1273, § 88 is met,
4 is amended to read as follows:

5 (a)(1) When the governing body of any city or town adopts an ordinance
6 levying a local sales and use tax as authorized in this subchapter, the
7 governing body shall provide, either in the ordinance levying the tax or in a
8 separate ordinance, for submission of the question of the levy to the
9 qualified electors of the city or town either at the next regular municipal
10 election or at a special election.

11 (2)(A) If the ordinance provides for submitting the question at
12 a special election, the election shall be called for a date not less than
13 sixty (60) nor more than ninety (90) days from the date of the adoption of
14 the ordinance calling the election.

15 (B)(i) The special election shall occur on the second
16 Tuesday of any month, except as provided in subdivision (a)(2)(B)(ii) of this
17 section.

18 (ii)(a)(1) Special elections held in months in which
19 a presidential preferential primary election, preferential primary election,
20 or general election is scheduled to occur shall be held on the date of the
21 preferential primary election or general election.

22 (2)(A)(i) If a special election is held
23 on the date of the presidential preferential primary election or preferential
24 primary election, the issue or issues to be voted upon at the special
25 election shall be included on the ballot of each political party.

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

30 (B) No voter shall be required to
31 vote in a political party's presidential preferential primary or preferential
32 primary in order to be able to vote in the special election.

33 (b) Special elections scheduled to occur in a
34 month in which the second Tuesday is a legal holiday shall be held on the
35 third Tuesday of the month.

36

1 SECTION 70. Arkansas Code § 26-78-103 is amended to read as follows:
2 26-78-103. Procedure for levying.

3 (a)(1) The counties of the state shall have the first opportunity to
4 levy the vehicle tax.

5 (2) Any levy by a county may be upon owners residing everywhere
6 in the county or only upon owners residing within the county but outside the
7 corporate boundaries of all municipalities in the county, that is, the county
8 tax must cover the entire county or the area outside all municipalities and
9 cannot cover some municipalities and omit others.

10 (3) This levy may be in any amount not exceeding the authorized
11 maximum.

12 (4) A municipality in a county is authorized to levy the vehicle
13 tax only if the county quorum court, by the time of adjournment of its
14 regular annual session in any calendar year, has failed to levy the vehicle
15 tax upon the owners residing within the corporate limits of the municipality
16 or if, by the time of adjournment, the court has not levied the full amount
17 of the authorized vehicle tax for the next calendar year at the regular
18 annual session or at any special session held in any calendar year prior to
19 its regular annual session in the calendar year.

20 (5) Each levy by the county quorum court or by the governing
21 body of the municipality shall be for collection during the calendar year
22 next following the year in which the levy is made and, except in the case
23 where bonds are issued as authorized, unless the levy is again made, the tax
24 shall drop at the expiration of the calendar year for which collected and
25 shall not again be collected until levied by the county quorum court by the
26 time of adjournment of the regular annual session of the county quorum court
27 or thereafter by the governing body of a municipality, as indicated.

28 (b)(1) Notwithstanding other provisions of this chapter, before the
29 vehicle tax levied by any county quorum court upon owners residing everywhere
30 in the county or only upon owners residing within the county but outside the
31 corporate boundaries of all municipalities in the county may be collected,
32 the county court shall, upon the first levy of the tax by the county quorum
33 court call a special election to be held not less than twenty (20) nor more
34 than ~~thirty (30)~~ sixty (60) days from the date of the adoption of the levy of
35 the tax by the quorum court, at which the qualified electors of the area to
36 be affected by such tax shall vote on the question of the levy of the tax.

1 (2)(A) The special election shall occur on the second Tuesday of
2 any month, except as provided in subdivision (b)(2)(B) of this section.

3 (B)(i)(a) Special elections held in months in which a
4 presidential preferential primary election, preferential primary election, or
5 general election is scheduled to occur shall be held on the date of the
6 preferential primary election or general election.

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

11 (B) However, separate ballots
12 containing only the issue or issues to be voted upon at the special election
13 shall be prepared and made available to voters requesting a separate ballot.

14 (2) No voter shall be required to vote
15 in a political party's presidential preferential primary or preferential
16 primary in order to be able to vote in the special election.

17 (ii) Special elections scheduled to occur in a month
18 in which the second Tuesday is a legal holiday shall be held on the third
19 Tuesday of the month.

20 (3) If at the special election a majority of the qualified
21 electors of the area affected by the tax voting on the issue at the special
22 election shall vote for the levy of the tax, the tax may be thereafter levied
23 in the area in the manner authorized in section (a) of this section, and it
24 shall not be necessary that an election be called again in the area on the
25 question of levying the tax.

26 (4) If a majority of the qualified electors of the affected area
27 voting on the issue at the special election shall vote against the levy of
28 the tax, the tax shall not be levied in the area.

29 (5) The quorum court of the county at any subsequent annual
30 meeting may propose the levy of the tax, and the election thereon shall be
31 called as provided in this section.

32 (6) Special elections held pursuant to this chapter shall be
33 conducted in accordance with the election laws of this state, and the form of
34 the ballot, the method of voting, the counting, tabulation, and certification
35 of the election results shall be in the manner provided by law.

36 (c)(1) Any tax levied by any municipality under the provisions of this

1 chapter for the first time prior to July 1, 1967, and without the calling of
 2 a special election of the qualified electors of the municipality, shall
 3 continue in full force and effect without the calling of an election.

4 (2) However, before the vehicle tax levied by the governing body
 5 of any municipality for the first time after July 1, 1967, upon vehicle
 6 owners residing in the municipality may be collected, the mayor shall call a
 7 special election to be held not less than twenty (20) nor more than ~~thirty~~
 8 ~~(30)~~ sixty (60) days from the date of the adoption of the levy of the tax by
 9 the governing body of the municipality, at which the qualified electors of
 10 the municipality shall vote on the question of the levy of the tax.

11 (3)(A) The special election shall occur on the second Tuesday of
 12 any month, except as provided in subdivision (c)(3)(B) of this section.

13 (B)(i)(A) Special elections held in months in which a
 14 presidential preferential primary election, preferential primary election, or
 15 general election is scheduled to occur shall be held on the date of the
 16 presidential preferential primary election, preferential primary election, or
 17 general election.

18 (B)(i)(a) Special elections held in months in which
 19 a presidential preferential primary election, preferential primary election,
 20 or general election is scheduled to occur shall be held on the date of the
 21 preferential primary election or general election.

22 (b)(1)(A) If a special election is held on the
 23 date of the presidential preferential primary election or preferential
 24 primary election, the issue or issues to be voted upon at the special
 25 election shall be included on the ballot of each political party.

26 (B) However, separate ballots
 27 containing only the issue or issues to be voted upon at the special election
 28 shall be prepared and made available to voters requesting a separate ballot.

29 (2) No voter shall be required to vote
 30 in a political party's presidential preferential primary or preferential
 31 primary in order to be able to vote in the special election.

32 (ii) Special elections scheduled to occur in a month
 33 in which the second Tuesday is a legal holiday shall be held on the third
 34 Tuesday of the month.

35 (4) If, at the special election, a majority of the qualified
 36 electors of the municipality voting on the issue shall vote for the levy of

1 the tax, the tax may be thereafter levied in the municipality in the manner
 2 authorized in subsection (a) of this section, and it shall not be necessary
 3 that an election be called again in the municipality on the question of
 4 levying the tax.

5 (5) If a majority of the qualified electors of the municipality
 6 voting on the issue at the special election shall vote against the levy of
 7 the tax, the tax shall not be levied in the municipality.

8 (6) However, the governing body of the municipality at any time
 9 after the expiration of one (1) year from the election in the municipality
 10 may propose the levy of the tax, and the election thereon shall be called as
 11 provided in this section.

12 (7) Special elections held pursuant to this chapter shall be
 13 conducted in accordance with the election laws of this state and the form of
 14 the ballot, the method of voting, the counting, tabulation, and certification
 15 of the election results shall be in the manner provided by law

16
 17 SECTION 71. Arkansas Code § 27-64-206(a), concerning special elections
 18 on the issue of Arkansas Federal Highway Grant Anticipation and Tax Revenue
 19 Bonds, is amended to read as follows:

20 (a)(1) No bonds shall be issued under this subchapter unless the
 21 issuance of bonds has been approved by a majority of the qualified electors
 22 of the state voting on the question at a statewide election called by
 23 proclamation of the Governor.

24 (2)(A) Such election may be in conjunction with a general
 25 election, or it may be a special election.

26 (B)(i) A special election held under this section shall
 27 occur on the second Tuesday of any month, except as provided by subdivision
 28 (a)(2)(B)(ii) of this section.

29 (ii)(a)(1) Special elections held in months in which
 30 a presidential preferential primary election, preferential primary election,
 31 or general election is scheduled to occur shall be held on the date of the
 32 presidential preferential primary election, preferential primary election, or
 33 general election.

34 (2)(A)(i) If a special election is held
 35 on the date of the presidential preferential primary election or preferential
 36 primary election, the issue or issues to be voted upon at the special

1 election shall be included on the ballot of each political party.

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

6 (B) No voter shall be required to
7 vote in a political party's presidential preferential primary or preferential
8 primary in order to be able to vote in the special election.

9 (b) Special elections scheduled to occur in a
10 month in which the second Tuesday is a legal holiday shall be held on the
11 third Tuesday of the month.

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