

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  
4

*As Engrossed: S3/18/05*

# A Bill

SENATE BILL 1025

5 By: Senator Madison  
6 By: Representative Edwards  
7  
8

## 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.  
13

### Subtitle

14 AN ACT CONCERNING THE DAY ON WHICH  
15 SPECIAL ELECTIONS SHALL OCCUR IN THE  
16 STATE OF ARKANSAS.  
17  
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,  
2 general primary election, or general election is scheduled to occur shall be  
3 held on the date of the presidential preferential primary election,  
4 preferential primary election, general primary election, or general election.

5 (b)(1)(A) If a special election is held on the  
6 date of the presidential preferential primary election, preferential primary  
7 election, or general primary election, the issues or issues to be voted upon  
8 at the special election shall be included on the ballot of each political  
9 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, preferential  
15 primary, or general primary in order to be able to vote in the special  
16 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  
21 SECTION 2. Arkansas Code § 3-9-206(b)(1) and (2), concerning special  
22 elections on the issue of on-premises consumption of alcoholic beverages, is  
23 amended to read as follows:

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

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

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

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

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

4 (2)(A)(i) If an election is held on the  
 5 date of the presidential preferential primary election, preferential primary  
 6 election, or general primary election, the issues or issues to be voted upon  
 7 at the 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 election  
 10 shall be prepared and made available to voters requesting a separate ballot.

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

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

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

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

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

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

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

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

1 (b)(1)(A) If a special election is held on the  
2 date of the presidential preferential primary election, preferential primary  
3 election, or general primary election, the issue or issues to be voted upon  
4 at the special election shall be included on the ballot of each political  
5 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, preferential  
11 primary, or general primary in order to be able to vote at the special  
12 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 4. Arkansas Code § 6-14-105 is amended to read as follows:

18 6-14-105. Special election on petition of school district board of  
19 directors.

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

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

26 (2)(A) The county court shall set the date for the special  
27 election so that the special election is held on the second Tuesday of any  
28 month, except as provided in subdivision (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,  
31 general primary election, or general election is scheduled to occur shall be  
32 held on the date of the presidential preferential primary election,  
33 preferential primary election, general 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, preferential primary  
36 election, or general primary election, the issue or issues to be voted upon

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

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

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

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

13  
14 SECTION 5. Arkansas Code § 6-14-122(d), concerning special elections  
15 on consolidation or annexation, is amended to read as follows:

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

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

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

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

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

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

1 primary, or general primary in order to be able to vote in the special  
2 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 6. Arkansas Code § 6-53-307 is amended to read as follows:  
8 6-53-307. County support of technical colleges.

9 (a)(1) Any county quorum court may designate all or any portion of any  
10 undedicated county sales or use tax to be used for capital improvements to or  
11 the maintenance and operation of any technical college, two-year college,  
12 community college, or satellite campus of a community college.

13 (2)(A) In the alternative, the quorum court may refer to a vote  
14 of the people at any general or special election the issue of dedicating all  
15 or a portion of any undedicated county sales or use tax to any technical  
16 college, community college, two-year college, or satellite campus of a  
17 community college to be used for capital improvements to or the maintenance  
18 and operation of the technical college, community college, two-year college,  
19 or satellite campus of a community college.

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

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

27 (c) If a technical college, community college, two-year college, or  
28 satellite campus of a community college for which a tax is dedicated or  
29 levied under this section thereafter becomes a branch of an existing  
30 institution of higher education, the tax dedicated or levied under this  
31 section shall continue to be dedicated and levied for the use and benefit of  
32 the branch unless reduced or repealed as authorized under this section.

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

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

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

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

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

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

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

22  
23 SECTION 7. Arkansas Code § 6-53-602 is amended to read as follows:  
24 6-53-602. Formation of a proposed district.

25 (a)(1) Upon request of the local board of a technical college, or the  
26 Arkansas Higher Education Coordinating Board acting as a local board of a  
27 technical college, the coordinating board shall determine whether formation  
28 of a proposed technical college district is feasible according to criteria  
29 established by the coordinating board for the formation of a technical  
30 college district.

31 (2) The boundaries of the technical college district are to be  
32 determined by the local board, or the coordinating board acting as the local  
33 board.

34 (b)(1) Within ten (10) calendar days after the coordinating board  
35 determines that the formation of a proposed district is feasible, the local  
36 board, or the coordinating board acting as the local board, shall notify the

1 county board of election commissioners in each county of which any portion is  
2 in the proposed technical college district that an election will be held to  
3 determine whether the district shall be formed and whether an ad valorem tax  
4 shall be levied on property in the district to fund site acquisition,  
5 construction, equipping, and operation of the college.

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

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

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

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

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

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

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

35 (c)(1) Except as provided in subdivision (c)(2) of this section, if  
36 the establishment of a proposed technical college district fails because of

1 an adverse vote by a majority of the qualified electors of the proposed  
2 district voting thereon at the election, no new election for the  
3 establishment thereof shall be held within a period of one (1) year after the  
4 date of the election.

5 (2)(A) If the formation of a proposed technical college district  
6 fails and the majority of votes cast in one (1) or more counties or cities in  
7 a proposed district were against the formation of the district, the local  
8 board or acting local board may notify the county boards of election  
9 commissioners that an election will be held on the issue of forming a  
10 proposed district that does not include the county, city, counties, or cities  
11 in which the issue failed.

12 (B) The local board or acting local board shall set a date  
13 for the election to be held no less than thirty (30) calendar days after the  
14 local board or acting local board notifies the county boards.

15 (C) The procedures for an election to form a proposed  
16 reconstituted district shall be identical to the procedures for an election  
17 to establish a technical college district.

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

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

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

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

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

1 held on the date of the presidential preferential primary election,  
2 preferential primary election, general primary election, or general election.

3 (2)(A)(i) If a special election is held  
4 on the date of the presidential preferential primary election, preferential  
5 primary election, or general primary election, the issue or issues to be  
6 voted upon at the special election shall be included on the ballot of each  
7 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, preferential  
14 primary, or general primary in order to be able to vote in the special  
15 election.

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

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

21  
22 SECTION 8. Arkansas Code § 6-61-512 is amended to read as follows:

23 6-61-512. Formation of district - Election - Date.

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

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

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

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

1 election shall be included on the 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, preferential primary, or  
7 general primary 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 9. Arkansas Code § 6-61-602(d)(1), concerning special  
13 elections on the issue of millage taxes to support community colleges, is  
14 amended to read as follows:

15 (d)(1)(A) When the local board of a community college determines that  
16 the question of a tax levy in the district should be submitted to the  
17 electors of the district at a special election, it shall adopt a resolution  
18 to that effect and shall file a certified copy of the resolution with the  
19 county board of election commissioners of each county of which any portion is  
20 in the district that a special election shall be held in the district and  
21 shall set the date of the election, which shall be not less than thirty (30)  
22 days nor more than sixty (60) days after the date of the notice to the county  
23 board of election commissioners.

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

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

32 (2)(A)(i) If a special election is held  
33 on the date of the presidential preferential primary election, preferential  
34 primary election, or general primary election, the issue or issues to be  
35 voted upon at the special election shall be included on the ballot of each  
36 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, preferential  
7 primary, or general primary in order to be able to vote in the special  
8 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.

12  
13 SECTION 10. Arkansas Code § 6-71-105 is amended to read as follows:

14 6-71-105. Public notice of passage of chapter - Methods of approval.

15 (a) Immediately upon the organization of the commission, or as soon  
16 thereafter as it is convenient, it shall give public notice of the passage of  
17 this chapter and of the commission's organization and the purposes of this  
18 chapter, and that the public improvement herein contemplated is conditioned  
19 upon its approval by a majority in value of the owners of real estate within  
20 the district or a majority of the electors voting in a special election which  
21 may be held upon this chapter.

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

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

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

35 (C) At the hearing, any landowner in the district may be  
36 heard and evidence may be taken in such manner as the commission may deem

1 proper to determine the fact as to whether the petition is signed by a  
2 majority in value of the landowners of the district, as shown by the last  
3 county assessment of the lands within the district.

4 (D)(i) If at the hearing the commissioners find that the  
5 petition is not signed by a majority in value of the landowners of the  
6 district, as shown by the last county assessment, they shall so declare. Such  
7 findings shall terminate proceedings under this chapter unless within the  
8 term herein limited another petition purporting to be signed by a majority in  
9 value of owners of real estate in the district is filed with the commission,  
10 when like proceedings shall again be had to determine whether a majority in  
11 value of the landowners of the district have signed the petition. However,  
12 the finding that a majority in value has not petitioned for the improvement  
13 shall not bar the chapter from becoming effective as provided in subsections  
14 (b)(2) and (c) of this section.

15 (ii) If the commission finds that the petition is  
16 signed by a majority in value of the landowners of the district as shown by  
17 the last county assessment, they shall so declare and shall proceed to carry  
18 out the purposes of this chapter.

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

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

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

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

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

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

2 (2)(A)(i) If an election is held on the  
 3 date of the presidential preferential primary election, preferential primary  
 4 election, or general primary election, the issue or issues to be voted upon  
 5 at the 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 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, preferential  
 11 primary, or general 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 ~~(G)(D)~~ The commission shall perform the duties of county  
 16 election commissioners as nearly as applicable.

17 ~~(D)(E)~~ All citizens of the city in which the district is  
 18 located who possess a right to vote if the election were a general election  
 19 for state officers, and no other, shall be entitled to vote in the election.

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

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

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

32  
 33 SECTION 11. Arkansas Code § 7-5-103 is amended to read as follows:

34 7-5-103. Time of special elections.

35 (a) If no time is otherwise provided by law, all special elections to  
 36 fill vacancies or to elect any officers where there appears to be a tie vote

1 shall be held on the second Tuesday of any month at the time specified in the  
2 proclamation issued by the appropriate constituted authority but in no event  
3 earlier than thirty (30) days following the issuance of the proclamation.

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

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

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

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

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

22  
23 SECTION 12. Arkansas Code § 7-7-104(e)(1), concerning special  
24 elections on the issue of vacancies in nominations, is amended to read as  
25 follows:

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

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

1 (ii)(a) Special elections held in months in which a  
 2 presidential preferential primary election, preferential primary election,  
 3 general primary election, or general election is scheduled to occur shall be  
 4 held on the date of the presidential preferential primary election,  
 5 preferential primary election, general primary election, or general 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) A runoff election, if required, shall be held ~~two (2)~~ three  
 10 (3) weeks after the date of the special election.

11  
 12 SECTION 13. Arkansas Code § 7-7-105(1)(D), concerning special primary  
 13 elections for filling vacancies in certain offices, is amended to read as  
 14 follows:

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

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

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

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

33  
 34 SECTION 14. Arkansas Code § 7-8-102 is amended to read as follows:  
 35 7-8-102. Filling Senate vacancies.

36 (a) When any vacancy shall happen in the representation of the State

1 of Arkansas in the United States Senate by death, resignation, or otherwise,  
2 the Governor shall have the power and authority to fill the vacancy by  
3 temporary appointment until the people fill the vacancy by election at the  
4 next-ensuing general election for state and county officers to be held more  
5 than sixty (60) days and less than twelve (12) months after the vacancy shall  
6 occur.

7 (b)(1) If no general election for state and county officers shall  
8 occur within twelve (12) months after the vacancy, the Governor shall call a  
9 special election to be held not less than sixty (60) days and not more than  
10 one hundred twenty (120) days after the vacancy shall occur.

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, preferential primary election, or  
15 general primary election is scheduled to occur shall be held on the date of  
16 the presidential preferential primary election, preferential primary  
17 election, or general primary election.

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

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

33  
34 SECTION 15. Arkansas Code § 7-9-111(h), concerning special elections  
35 on the issue of municipal referendum petition measures, is amended to read as  
36 follows:

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

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

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

16           (b)(1)(A) If a special election is held on the  
17 date of the presidential preferential primary election, preferential primary  
18 election, or general primary election, the issue or issues to be voted upon  
19 at the special election shall be included on the ballot of each political  
20 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, preferential  
26 primary, or general primary in order to be able to vote in the special  
27 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 16. Arkansas Code § 12-10-318(a), concerning special elections  
33 for emergency telephone service charges, is amended to read as follows:

34           12-10-318. Emergency telephone service charges - Imposition -  
35 Liability.

36           (a)(1)(A) When so authorized by a majority of the persons voting

1 within the political subdivision in accordance with the law, the governing  
2 authority of each political subdivision may levy an emergency telephone  
3 service charge in the amount assessed by the political subdivision on a per  
4 access line basis as of January 1, 1997, or the amount up to five percent  
5 (5%) of the tariff rate, except that any political subdivision with a  
6 population of fewer than twenty-seven thousand five hundred (27,500)  
7 according to the 1990 Federal Decennial Census may, by a majority vote of the  
8 electors voting on the issue, levy an emergency telephone charge in an amount  
9 assessed by the political subdivision on a per access line basis as of  
10 January 1, 1997, or an amount up to twelve percent (12%) of the tariff rate.

11 (B) The governing authority of a political subdivision  
12 that has been authorized under subdivision (a)(1)(A) of this section to levy  
13 an emergency telephone service charge in an amount up to twelve percent (12%)  
14 of the tariff rate may decrease the percentage rate to not less than four  
15 percent (4%) of the tariff rate for those telephone service users that are  
16 served by a telephone company with fewer than two hundred (200) access lines  
17 in this state as of the date of the election conducted under subdivision  
18 (a)(1)(A) of this section.

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

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

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

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

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

1 ballot.

2 (B) No voter shall be required to  
3 vote in a political party's presidential preferential primary, preferential  
4 primary, or general primary in order to be able to vote in the special  
5 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  
10 SECTION 17. Arkansas Code § 13-2-501(b), concerning special elections  
11 on the issue of public libraries, is amended to read as follows:

12 (b)(1) In cities of the first class, on petition of five percent (5%)  
13 of the voters requesting the establishment of a public library, the city  
14 council or governing body of the municipality within thirty (30) days after  
15 the filing of the petition shall call an election to be held within sixty  
16 (60) days thereafter.

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

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

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

26 (2)(A)(i) If an election is held on the  
27 date of the presidential preferential primary election, preferential primary  
28 election, or general primary election, the issue or issues to be voted upon  
29 at the 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 election  
32 shall be prepared and made available to voters requesting a separate ballot.

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

36 (b) Elections scheduled to occur in a month in

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

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

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

10  
11 SECTION 18. Arkansas Code § 14-20-108(a), concerning special elections  
12 on the issue of the levy of volunteer fire department dues, is amended to  
13 read as follows:

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

15 (a)(1)(A) The quorum court of each county, upon request therefor filed  
16 with the court by one (1) or more volunteer fire departments in the county,  
17 may adopt an ordinance authorizing a designated county official to collect  
18 and remit to the department or departments the annual or quarterly dues  
19 charged by the department or departments in consideration of providing fire  
20 protection to unincorporated areas in the county; or

21 (B)(i)(a) When any county quorum court receives a request  
22 for the levy of volunteer fire department dues, if the request has been  
23 signed by the fire chief and all other officers of a volunteer fire  
24 department and duly filed with the county clerk, the quorum court by  
25 ordinance shall call for an election on the issue of the levy of the  
26 volunteer fire department dues on each residence.

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

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

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

36 (iii)(a) The election shall occur on the second

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

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

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

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

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

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

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

26 (3) Provided, however, active members of the volunteer fire  
27 departments whose annual or quarterly dues are collected in this manner may,  
28 at the discretion of the volunteer fire department, be exempt from the annual  
29 or quarterly dues charged by the department in consideration of providing  
30 services to the department.

31  
32 SECTION 19. Arkansas Code § 14-37-112(b), concerning special elections  
33 for the purpose of electing officers for cities of the second class, is  
34 amended to read as follows:

35 (b)(1) The officers of the incorporated town, upon the filing with the  
36 Secretary of State of the certified copy of the ordinance, shall immediately

1 become officers of the city of the second class, with full authority to  
2 proceed, do, and perform any and all things for, and on behalf of, the city  
3 of the second class as if elected as officers of the city of the second  
4 class. They shall serve as such officers for the full period of time for  
5 which they were elected or until their successors are elected and qualified.

6 (2)(A) At the regular time for holding election of officers of  
7 incorporated towns, there shall be an election for the election of officers  
8 of the city of the second class who shall hold office as officers of the city  
9 of the second class until the next regular time fixed by law for electing  
10 officers of a city of the second class or until their successors are elected  
11 and qualified.

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

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

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

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

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

36 (ii) No voter shall be

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

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

7  
 8 SECTION 20. Arkansas Code § 14-38-112(c), concerning special elections  
 9 associated with the reactivation of inactive cities or incorporated towns, is  
 10 amended to read as follows:

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

13 (2)(A) If the county court shall determine that a majority of  
 14 the qualified electors of the city or incorporated town, as reflected by the  
 15 voter registration records of the county, shall have petitioned for the  
 16 calling of a special election to elect the municipal officials of the city or  
 17 incorporated town, the county court shall enter an order approving the  
 18 petitions and shall call a special election for the election of the officials  
 19 of the city or incorporated town.

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

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

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

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

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

1 party.

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

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

9 (2) 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.

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

15  
16 SECTION 21. Arkansas Code § 14-38-113(a)(3), concerning special  
17 elections on the issue of reorganization under a different form of  
18 government, is amended to read as follows:

19 (3)(A) If a majority of the votes cast at the election shall be  
20 in favor of the proposition, and no suit is brought to contest the  
21 certification of the results of the election within the thirty-day period  
22 after the certification by the county board of election commissioners, the  
23 mayor shall file with the Secretary of State and the county clerk of the  
24 county in which the municipality is situated certificates stating that the  
25 proposition was adopted.

26 (B) Thereafter, the municipality shall proceed to elect  
27 officials of the municipality in the manner and at the time provided by law  
28 for the election of municipal officials in municipalities operating under the  
29 form of government adopted by the municipality.

30 (C)(i) However, if a municipality votes to change its form  
31 of government and the date of the election to change its form of municipal  
32 government is six (6) months or more prior to the next regular general  
33 election for municipal officials, the mayor of the municipality shall, by  
34 proclamation, call a special election for the purpose of electing municipal  
35 officials under the form of government adopted by the municipality. When the  
36 officials are elected, the municipality shall proceed to organize and operate

1 under the newly adopted form of government.

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

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

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

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

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

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

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

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

35 (4)(A) When any municipality shall change forms of government in  
36 the manner provided in this section, the question of changing the form of

1 government of the municipality shall not again be submitted to the electors  
2 thereof until the expiration of four (4) years from the date on which the  
3 first officers are elected for the form of government adopted at the  
4 election.

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

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

15 (B) The date of execution of the petitions may be  
16 established by affidavit of the person circulating the petition or by the  
17 person signing the petition affixing the date of signing immediately  
18 following his name.

19  
20 SECTION 22. Arkansas Code § 14-40-303(b), concerning special elections  
21 on the issue of annexation ordinances, is amended to read as follows:

22 (b)(1)(A)(i) The annexation ordinance shall not become effective until  
23 the question of annexation is submitted to the qualified electors of the  
24 annexing municipality and of the area to be annexed at the next general  
25 election or at a special election. The special election shall be conducted  
26 no earlier than sixty (60) days after the date of enactment of the ordinance.

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

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

35 (B)(i)(a) If a special election is  
36 held on the date of the presidential preferential primary election,

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

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

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

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

15 (B)(i) If a majority of the qualified electors voting in  
 16 the election shall vote for the annexation, the county clerk shall, no later  
 17 than seven (7) days following the election, certify the election results,  
 18 record the same, along with the description and a map of the annexed area, in  
 19 the county records, and file a certified copy thereof with the Secretary of  
 20 State.

21 (ii) The annexation shall be effective, and the  
 22 lands annexed shall be included within the corporate limits of the annexing  
 23 municipality thirty (30) days following the date of recording and filing of  
 24 the description and map, as provided in this section, or, in the event an  
 25 action is filed with the circuit court as provided in § 14-40-304 on the date  
 26 the judgment of the court becomes final.

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

30  
 31 SECTION 23. Arkansas Code § 14-40-1202(a), concerning special  
 32 elections on the issue of annexation, is amended to read as follows:

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

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

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

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

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

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

22 (B) No voter shall be required to  
23 vote in a political party's presidential preferential primary, preferential  
24 primary, or general primary in order to be able to vote in the special  
25 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) The court shall appoint one (1) judge and one (1) clerk in  
30 each ward or other division of each municipal corporation, and the mayor and  
31 city council of each of the municipal corporations shall select two (2)  
32 judges and one (1) clerk for each of the wards or other divisions having the  
33 qualifications of electors, to act as judges and clerks of election within  
34 the respective wards.

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

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

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

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

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

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

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

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

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

(2) No voter shall be required to vote

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

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

7  
8 SECTION 25. Arkansas Code § 14-42-104 is amended to read as follows:  
9 14-42-104. Vacancies in certain alderman positions.

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

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

19 (B)(i) The special election shall occur on the second  
20 Tuesday of any month, except as provided in subdivision (1)(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 general primary election, or general election is scheduled to occur shall be  
25 held on the date of the presidential preferential primary election,  
26 preferential primary election, general primary election, or general election.

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

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

36 (B) No voter shall be required to

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

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

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

10  
11 SECTION 26. Arkansas Code § 14-42-203(a), concerning special elections  
12 of city mayors, is amended to read as follows:

13 14-42-203. Special elections of city mayors.

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

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

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

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

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

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

35 (ii) Special elections scheduled to occur in a month  
36 in which the second Tuesday is a legal holiday shall be held on the third

1 Tuesday of the month.

2  
3 SECTION 27. Arkansas Code § 14-42-304(b), concerning amendments to  
4 charters submitted to qualified electors, is amended to read as follows:

5 (b)(1) The amendment shall be submitted to the qualified electors of  
6 the municipality at a regular or special election.

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

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

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

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

29  
30 SECTION 28. Arkansas Code § 14-43-411(b), concerning special elections  
31 on the issue of alderman vacancies, is amended to read as follows:

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

1           (1)(A) If the unexpired portion of the term of alderman exceeds  
2 one (1) year, a successor shall be elected by a vote of the electors of the  
3 ward. The city council shall order a special election to be held within ~~sixty~~  
4 ~~(60)~~ ninety (90) days of the date the vacancy occurs~~+~~.

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

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

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

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

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

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

32  
33           SECTION 29. Arkansas Code § 14-44-103(a)(3), concerning elections on  
34 the issue of alderman term length, is amended to read as follows:

35                   (3)(A) The city council of a city of the second class may refer  
36 to voters an ordinance on the question of electing the two (2) aldermen for

1 each ward to four-year terms.

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

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

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

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

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

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

24 (ii) No voter shall be  
25 required to vote in a political party's presidential preferential primary,  
26 preferential primary, or general primary in order to be able to vote in the  
27 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 (C)(i) If this procedure is adopted by ordinance referred  
32 to and approved by the voters of the city, the initial term for the alderman  
33 designated as alderman number one of each ward shall be a four-year term at  
34 the next general election.

35 (ii) The initial term for the alderman designated as  
36 alderman number two of each ward shall be a two-year term at the next general

1 election, and thereafter shall be a four-year term, resulting in staggered  
2 terms for the ward.

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

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

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

13  
14 SECTION 30. Arkansas Code § 14-44-106 is amended to read as follows:

15 14-44-106. Vacancy in mayor's office.

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

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

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

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

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

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

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

7  
8 SECTION 31. Arkansas Code § 14-47-106(b)(1)(A), concerning special  
9 elections on the issue of the city manager form of government, is amended to  
10 read as follows:

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

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

19 (ii) The proclamation shall be published at length  
20 in some newspaper published in the city for one (1) time, and notice of the  
21 election shall be published in some newspaper published in the city once a  
22 week for two (2) weeks, the first publication to be not less than fifteen  
23 (15) days before the date set for the election. No other notice of the  
24 election shall be necessary.

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

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

33 (B)(i)(a) If a special election is  
34 held on the date of the presidential preferential primary election,  
35 preferential primary election, or general primary election, the issue or  
36 issues to be voted upon at the special election shall be included on the

1 ballot of each political party.

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

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

13  
 14 *SECTION 32. Arkansas Code § 14-47-107(a), concerning elections on the*  
 15 *aldermanic form of government, is amended to read as follows:*

16 *(a)(1)(A) After the expiration of six (6) years after the date on*  
 17 *which the first board of directors takes office in a city organized under*  
 18 *this chapter, a petition may be presented to the mayor. It shall be signed by*  
 19 *electors equal in number to fifteen percent (15%) of the aggregate number of*  
 20 *ballots cast for all candidates for director in that position for which the*  
 21 *greatest number of ballots were cast in the preceding general election.*  
 22 *Whereupon, the mayor shall, by proclamation, submit the question of*  
 23 *organization of the city under the aldermanic form of government at a special*  
 24 *election to be held at a time specified therein, not less than thirty (30)*  
 25 *days after the date of the proclamation.*

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

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

34 *(2)(A)(i) If a special election is held*  
 35 *on the date of the presidential preferential primary election, preferential*  
 36 *primary election, or general primary election, the issue or issues to be*

1 voted upon at the special election shall be included on the ballot of each  
 2 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, preferential  
 9 primary, or general primary in order to be able to vote in the special  
 10 election.

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

14 (2) The proclamation shall be published at length in some  
 15 newspaper published in the city for one (1) time. Notice of the election  
 16 shall be published in some newspaper published in the city once a week for  
 17 two (2) weeks, the first publication to be not less than fifteen (15) days  
 18 before the date set for the election. No other notice of the election shall  
 19 be necessary.

20  
 21 SECTION 33. Arkansas Code § 14-47-110(a)(1), concerning the election  
 22 of directors, is amended to read as follows:

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

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

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

31 (B)(i) A special election to fill any vacancy under § 14-  
 32 47-113 shall be called through a resolution of the board of directors.

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

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

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

9                   (2)(A)(i) If a special election is held  
10 on the date of the presidential preferential primary election, preferential  
11 primary election, or general primary election, the issue or issues to be  
12 voted upon at the special election shall be included on the ballot of each  
13 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, preferential  
20 primary, or general primary in order to be able to vote in the special  
21 election.

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

25  
26           SECTION 34. Arkansas Code § 14-48-104(b), concerning special elections  
27 on the issue of the city administrator form of government, is amended to read  
28 as follows:

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

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

5 (b)(1)(A) If a special election is held on the  
 6 date of the presidential preferential primary election, preferential primary  
 7 election, or general primary election, the issue or issues to be voted upon  
 8 at the special election shall be included on the ballot of each political  
 9 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, preferential  
 15 primary, or general primary in order to be able to vote in the special  
 16 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  
 21 SECTION 35. Arkansas Code § 14-48-105(b), concerning special elections  
 22 on the issue of changing to another form of government, is amended to read as  
 23 follows:

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

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

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

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

5 (ii) No other notice of the election shall be  
6 necessary.

7 (C)(i) The special election shall occur on the second  
8 Tuesday of any month, except as provided in subdivision (b)(2)(C)(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 general primary election, or general election is scheduled to occur shall be  
13 held on the date of the presidential preferential primary election,  
14 preferential primary election, general primary election, or general election.

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

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

24 (B) No voter shall be required to  
25 vote in a political party's presidential preferential primary, preferential  
26 primary, or general primary in order to be able to vote in the special  
27 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 36. Arkansas Code § 14-48-108 is amended to read as follows:

33 14-48-108. Calling of elections for directors and mayor.

34 (a)(1) Within ten (10) days after the designation of the four (4)  
35 wards, the Secretary of State shall, by proclamation, call special primary  
36 and general elections to be held in the municipality for the purpose of

1 electing seven (7) directors and a mayor.

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

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

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

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

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

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

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

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

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

34  
35           SECTION 37. Arkansas Code § 14-48-114(b)(3), concerning special  
36 elections on the issue of the removal of mayors or directors, is amended to

1 read as follows:

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

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

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

14 (2)(A)(i) If a special election is held  
15 on the date of the presidential preferential primary election, preferential  
16 primary election, or general primary election, the issue or issues to be  
17 voted upon at the special election shall be included on the ballot of each  
18 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, preferential  
25 primary, or general primary in order to be able to vote in the special  
26 election.

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

30  
31 SECTION 38. Arkansas Code § 14-48-115 is amended to read as follows:  
32 14-48-115. Mayor or director vacancy.

33 (a) *In the case of a vacancy in the office of mayor or in the office*  
34 *of a member of the board of directors as a result of death, resignation, a*  
35 *recall election as provided for in § 14-48-114, or for any other reason, the*  
36 *board, by majority vote, shall appoint a person to fill the vacancy if the*

1 vacancy occurs less than six (6) months before the next general municipal  
2 election at which the remainder of the unexpired term shall be filled.

3 (b)(1) If the vacancy occurs more than (6) months prior to the next  
4 general municipal election, a special election shall be called to fill the  
5 vacancy.

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

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

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

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

21 (2) No voter shall be required to vote  
22 in a political party's presidential preferential primary, preferential  
23 primary, or general primary in order to be able to vote in the special  
24 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 39. Arkansas Code § 14-57-704(a), concerning special elections  
30 on the issue of vehicle taxes, is amended to read as follows:

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

35 (2)(A) This election shall be held not less than ~~twenty (20)~~  
36 thirty (30) days nor more than ~~thirty (30)~~ sixty (60) days from the date of

1 the adoption of the levy of the tax by the governing body of the city or  
2 town, at which the qualified electors of the city or town shall vote on the  
3 question of the levy of the tax.

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

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

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

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

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

28  
29 SECTION 40. Arkansas Code § 14-61-113(1), concerning special elections  
30 under the City Manager Enabling Act of 1989, is amended to read as follows:

31 (1) A petition that calls for an election on one (1) particular  
32 option for selecting members of the board of directors using the form of the  
33 question outlined in § 14-61-115(b) shall be filed with the city clerk and  
34 provided to the mayor. The city clerk shall note on the petitions the date  
35 and time that they were filed. If such a petition contains the signatures of  
36 electors equal in number to fifteen percent (15%) of the number of ballots

1 cast for the mayor, or if the mayor is not directly elected, for the director  
2 position receiving the highest number of votes, in the last general election,  
3 then the mayor shall, by proclamation, submit the question to the electors at  
4 a special election, provided:

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

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

9 (iii) If, however, there are a sufficient number of  
10 signatures on the petitions, but the city clerk is unable to verify the  
11 required number of signatures as those of qualified electors, then the  
12 petitioners will be given ten (10) days to provide a sufficient number of  
13 verified signatures;

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

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

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

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

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

36 (b) However, separate

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

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

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

11  
12 SECTION 41. Arkansas Code § 14-72-303 is amended to read as follows:

13 14-72-303. Submission of question to electors - Special election.

14 (a) If the county court decides that it would be advantageous to issue  
15 bonds under the authority of Arkansas Constitution, Amendment 17 [repealed],  
16 this section, and §§ 14-72-301, 14-72-302, and 14-72-304 - 14-72-307, it  
17 shall order the submission of the question to the qualified electors of the  
18 county at the next general election.

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

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

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

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

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

4 (2) No voter shall be required to vote  
 5 in a political party's presidential preferential primary, preferential  
 6 primary, or general primary in order to be able to vote in the special  
 7 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 (c) The special election shall in all other respects be held as  
 12 provided by law for the conducting of general elections. It is made the duty  
 13 of the sheriff of the county, by proclamation duly made and published for the  
 14 time and in the manner provided by law, to give notice of the time and place  
 15 of holding the election.

16  
 17 SECTION 42. Arkansas Code § 14-72-606(b), concerning special elections  
 18 on the issue of revenue bonds, is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

16  
17 SECTION 43. Arkansas Code § 14-120-209 is amended to read as follows:  
18 14-120-209. Date of election.

19 (a) The election shall be held on a date to be fixed by the directors  
20 of the district at a regular or special meeting duly called for that purpose.  
21 However, the date of the election shall be not less than sixty (60) days nor  
22 more than one hundred eighty (180) days next succeeding the date of the first  
23 publication of the notice of the filing of the outline of the project with  
24 the district as provided in § 14-120-206(c).

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

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

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

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

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

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

10  
11 SECTION 44. Arkansas Code § 14-122-104 is amended to read as follows:

12 14-122-104. Filing referendum petitions - Special election.

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

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

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

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

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

36 (b) No voter shall be required to vote in a

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

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

6  
7 SECTION 45. Arkansas Code § 14-142-208(b), concerning elections on the  
8 issue of the issuance of bonds, is amended to read as follows:

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

12 (2) The ordinance or order shall set forth the form of the  
13 ballot question or questions in the form prescribed by Arkansas Constitution,  
14 Amendment 30 or Amendment 38, as amended by Arkansas Constitution, Amendment  
15 72.

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

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

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

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

31 (2)(A)(i) If an election is held on the  
32 date of the presidential preferential primary election, preferential primary  
33 election, or general primary election, the issue or issues to be voted upon  
34 at the 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 election

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

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

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

8  
9 SECTION 46. Arkansas Code § 14-163-207(d), concerning special  
10 elections on the issue of tax levies, is amended to read as follows:

11 (d)(1) At the time, date, and place specified in the notice, the  
12 governing body of the city shall hold the hearing and shall determine and  
13 make a finding as to whether or not the petition is signed by at least ten  
14 percent (10%) of the owners of real property in the city.

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

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

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

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

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

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

1 ballot.

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

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

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

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

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

17  
18 SECTION 47. Arkansas Code § 14-164-309(e), concerning special election  
19 on the issue of bond issuance, is amended to read as follows:

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

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

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

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

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

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

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

7  
8 SECTION 48. Arkansas Code § 14-174-103(a), concerning special  
9 elections regarding the levy, increase, decrease, or repeal of taxes by local  
10 governments, is amended to read as follows:

11 (a)(1) In addition to all other authority of local governments to levy  
12 taxes provided by law, any county, acting through its quorum court, or any  
13 municipality, acting through its governing body, may levy any tax. However,  
14 no ordinance levying any tax authorized by this subchapter shall be valid  
15 until adopted at a special or general election by qualified electors of the  
16 city or in the county where the tax is to be imposed, as the case may be. An  
17 election will also be required to increase, decrease, or repeal a tax levied  
18 pursuant to this subchapter.

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

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

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

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

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

1 primary, or general primary in order to be able to vote in the special  
2 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 49. Arkansas Code § 14-200-107 is amended to read as follows:  
8 14-200-107. Election to authorize purchase by municipality.

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

16 (b)(1) A special election held under this section shall occur on the  
17 second Tuesday of any month, except as provided in subdivision (b)(2) of this  
18 section.

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

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

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

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

35 (B) Special elections scheduled to occur in a month in  
36 which the second Tuesday is a legal holiday shall be held on the third

1 Tuesday of the month.

2  
3 SECTION 50. Arkansas Code § 14-201-109(b), concerning special  
4 elections on the issue of abolition of a utility commission, is amended to  
5 read as follows:

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

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

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

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

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

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

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

34 (3) A majority vote of the electorate shall determine the  
35 question.

36

1 SECTION 51. Arkansas Code § 14-206-103(a), concerning special  
2 elections on the issue of the acquisition of the property of a gas or  
3 electric public utility, is amended to read as follows:

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

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

17 (B)(i)(a) Special elections held in months in which a  
18 presidential preferential primary election, preferential primary election,  
19 general primary election, or general election is scheduled to occur shall be  
20 held on the date of the presidential preferential primary election,  
21 preferential primary election, general 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, preferential primary  
24 election, or general primary election, the issue or issues to be voted upon  
25 at the special election shall be included on the ballot of each political  
26 party.

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

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

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

1  
2 SECTION 52. Arkansas Code § 14-283-102(a), concerning special  
3 elections on the issues of the establishment and financing of mosquito  
4 abatement districts, is amended to read as follows:

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

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

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

16 (b)(1)(A) If a special election is held on the  
17 date of the presidential preferential primary election, preferential primary  
18 election, or general primary election, the issue or issues to be voted upon  
19 at the special election shall be included on the ballot of each political  
20 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, preferential  
26 primary, or general primary in order to be able to vote in the special  
27 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 § 14-284-205(b), concerning special  
33 elections on the issue of fire protection districts, is amended to read as  
34 follows:

35 (b)(1) The county court, or county courts if the proposed fire  
36 protection district is located in more than one county, shall call a special

1 election to submit the question of the establishment and financing of a fire  
2 protection district to the electors of a proposed district.

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

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

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

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

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

22 (B) No voter shall be required to  
23 vote in a political party's presidential preferential primary, preferential  
24 primary, or general primary in order to be able to vote in the special  
25 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 (3) If the proposed fire protection district is located within  
30 more than one (1) county, the county courts shall set the date of the  
31 election on the same date and set the places of the election within the  
32 proposed fire protection district boundaries.

33 (4) At the election, the question of establishing and financing  
34 the district shall be placed on the ballot in substantially the following  
35 form:  
36

1 "FOR the establishment of a fire protection district in .....  
 2 (county), ..... (designated area), and the levy of assessed  
 3  
 4 benefits on real property in the district to finance the district .....[]  
 5

6 AGAINST the establishment of a fire protection district in .....  
 7 (county), ..... (designated area), and the levy of assessed  
 8  
 9 benefits on real property in the district to finance the district .....[]"  
 10

11 SECTION 54. Arkansas Code § 14-284-208(f), concerning special  
 12 elections on the issue of removal of members of the Board of Commissioners in  
 13 fire protection districts, is amended to read as follows:

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

16 (2) The members of the board of commissioners of multicounty  
 17 fire protection districts formed after July 3, 1995, under this subchapter,  
 18 shall be residents of the fire protection district and elected at a public  
 19 meeting as agreed upon by the county courts in order to establish the time of  
 20 the meeting and the place of the meeting being within the district. The  
 21 commissioners shall be elected by the qualified electors residing within the  
 22 district.

23 (3) The members of the board of commissioners shall serve  
 24 staggered terms.

25 (4) Vacancies occurring on the board due to resignation,  
 26 removal, or otherwise shall be filled by the remaining board members for the  
 27 unexpired term.

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

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

36 (B)(i) The election for the removal of board members shall

1 be held at a designated location within the fire protection district.

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

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

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

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

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

25  
26 SECTION 55. Arkansas Code § 14-284-224(b), concerning special  
27 elections on the issue of annexation of territory to an existing fire  
28 protection district, is amended to read as follows:

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

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

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

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

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

15 (B) No voter shall be required to  
16 vote in a political party's presidential preferential primary, preferential  
17 primary, or general primary in order to be able to vote in the special  
18 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 (2) At the election, the question of annexing the area to the  
23 district and the financing of the district shall be placed on the ballot in  
24 substantially the following form:

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

28 AGAINST the annexation of. . . . . (description of area to be annexed),  
29 and the levy of assessed benefits on real property within the area to be  
30 annexed to help finance the district ..... [ ]"

31  
32 SECTION 56. Arkansas Code § 14-286-103(a), concerning special  
33 elections on the issue of red imported fire ant abatement districts, is  
34 amended to read as follows:

35 (a)(1) The special election called by the county court to submit the  
36 question of the establishment and financing of a red imported fire ant

1 abatement district to the electors of the proposed district shall be held  
 2 within ninety (90) days after the petitions requesting the election have been  
 3 filed with the county court.

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

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

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

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

19 (2) No voter shall be required to vote  
 20 in a political party's presidential preferential primary, preferential  
 21 primary, or general primary in order to be able to vote in the special  
 22 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 57. Arkansas Code § 14-387-301 is amended to read as follows:  
 28 14-387-301. Order for election.

29 (a) Whenever twenty-five percent (25%) of the qualified electors of  
 30 three (3) or more townships in any county in this state, as shown by the  
 31 election returns for Governor at the last general election preceding the date  
 32 of the petition, shall petition the county court for the privilege of voting  
 33 on the question of restraining horses, mules, asses, cattle, goats, swine,  
 34 and sheep, or any two (2) or more of these animals, or the male species of  
 35 them, from running at large, the court shall make an order for an election in  
 36 the townships, to be held at any general or special election for state or

1 county officers.

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

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

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

16 (ii)(a)(1) If a special election is held on the date  
17 of the presidential preferential primary election, preferential primary  
18 election, or general primary election, the issue or issues to be voted upon  
19 at the special election shall be included on the ballot of each political  
20 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, preferential primary, or  
26 general 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 58. Arkansas Code § 15-4-3020(b), concerning special elections  
32 on the issue of certain general obligation improvement bonds, is amended to  
33 read as follows:

34 (b)(1) The proclamation shall be issued at least sixty (60) calendar  
35 days prior to the date fixed by the proclamation for the election, and notice  
36 of the special election shall be given by publication of the proclamation by

1 one (1) insertion in one (1) newspaper of general circulation published in  
2 each county in the state not less than thirty (30) calendar days prior to the  
3 date of the election.

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, preferential primary election,  
8 general primary election, or general election is scheduled to occur shall be  
9 held on the date of the presidential preferential primary election,  
10 preferential primary election, general primary election, or general election.

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

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

19 (2) No voter shall be required to vote  
20 in a political party's presidential preferential primary, preferential  
21 primary, or general primary in order to be able to vote in the special  
22 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 59. Arkansas Code § 15-43-204 is amended to read as follows:  
28 15-43-204. Local election to redetermine doe killing area.

29 (a)(1) Whenever fifty (50) or more qualified electors residing within  
30 an area wholly or partly located within their particular county, which has  
31 been designated by regulation of the Arkansas State Game and Fish Commission  
32 as a doe killing area, shall petition the appropriate county court, praying  
33 that an election be held to determine whether or not such area or portion  
34 thereof should remain a doe killing area, the county court shall order a  
35 special election to be held not more than thirty (30) days after the date of  
36 filing of the petition.

1           (2)(A) The special election shall occur on the second Tuesday of  
2 any month, except as provided in subdivision (a)(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,  
5 general primary election, or general election is scheduled to occur shall be  
6 held on the date of the presidential preferential primary election,  
7 preferential primary election, general primary election, or general election.

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

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

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

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 60. 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 general primary election, or general election is scheduled to occur shall be  
29 held on the date of the presidential preferential primary election,  
30 preferential primary election, general primary election, or residential  
31 preferential primary election, preferential primary election, or general  
32 election.

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

1 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 vote in a  
 7 political party's presidential preferential primary, preferential primary, or  
 8 general 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.

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

14 (3) By published notice, the board shall proclaim the results of  
 15 the election and shall also certify the results to the 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 given pursuant to this subsection.

19  
 20 SECTION 61. Arkansas Code § 23-111-306(b), concerning special  
 21 elections on the issue of greyhound racing, is amended to read as follows:

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

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

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

36 (2)(A)(i) If a special election is held

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

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

9 (B) No voter shall be required to  
10 vote in a political party's presidential preferential primary, preferential  
11 primary, or general primary in order to be able to vote in the special  
12 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 (2) The proposition printed on the ballot shall be "FOR  
17 Greyhound Racing" and "AGAINST Greyhound Racing".

18 (3) By published notice, the board shall proclaim the results of  
19 the election and shall also certify the results to the Arkansas Racing  
20 Commission.

21 (4) All contests in relation to the results of the election  
22 shall be commenced within twenty (20) days next following the date of  
23 publication of notice as provided in subsection (a) of this section.  
24

25 SECTION 62. Arkansas Code § 24-11-402(b), concerning elections  
26 regarding police officer's pensions, is amended to read as follows:

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

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

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

1 held on the date of the presidential preferential primary election,  
 2 preferential primary election, general primary election, or general election.

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

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

11 (2) No voter shall be required to vote  
 12 in a political party's presidential preferential primary, preferential  
 13 primary, or general primary in order to be able to vote in the special  
 14 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 63. Arkansas Code § 24-11-404(d), concerning votes on tax  
 20 levies for pensions in cities of first and second class, is amended to read  
 21 as follows:

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

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

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

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

1 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, preferential  
 7 primary, or general primary in order to be able to vote in the special  
 8 election.

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

12  
 13 SECTION 64. Arkansas Code § 24-11-812(d), concerning votes regarding  
 14 firefighter's pensions, is amended to read 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,  
 23 general primary election, or general election is scheduled to occur shall be  
 24 held on the date of the presidential preferential primary election,  
 25 preferential primary election, general primary election, or general election.

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

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

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

1 election.

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

5  
 6 SECTION 65. Arkansas Code § 24-12-103(d), concerning elections on the  
 7 issue on paid nonuniformed employee's pensions, is amended to read as  
 8 follows:

9 (d)(1) In the event the question shall not, for any reason, be voted  
 10 upon at the next general city election after the passage and approval of this  
 11 act, the question may be submitted at any other general or special election  
 12 held in the city as provided in this section.

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

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

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

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

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

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

33  
 34 SECTION 66. Arkansas Code § 26-52-605(b), concerning special elections  
 35 concerning sales tax levies, is amended to read as follows:

36 (b)(1) The special election shall be called not later than ninety (90)

1 days nor earlier than ~~sixty (60)~~ forty-five (45) days following the adoption  
 2 of the ordinance by the governing body of the city or town, or the filing of  
 3 petitions requesting the election.

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, preferential primary election,  
 8 general primary election, or general election is scheduled to occur shall be  
 9 held on the date of the presidential preferential primary election,  
 10 preferential primary election, general primary election, or general election.

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

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

19 (2) No voter shall be required to vote  
 20 in a political party's presidential preferential primary, preferential  
 21 primary, or general primary in order to be able to vote in the special  
 22 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 67. Arkansas Code § 26-73-111(c), concerning special elections  
 28 on the issue of special local sales and use taxes, is amended to read as  
 29 follows:

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

36 (2)(A) The special election shall occur on the second Tuesday of

1 any month, except as provided in subdivision (c)(2)(B) of this section.

2 (B)(i)(a) Special elections held in months in which a  
3 presidential preferential primary election, preferential primary election,  
4 general primary election, or general election is scheduled to occur shall be  
5 held on the date of the presidential preferential primary election,  
6 preferential primary election, general 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, preferential primary  
9 election, or general primary election, the issue or issues to be voted upon  
10 at the special election shall be included on the ballot of each political  
11 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, preferential  
17 primary, or general primary in order to be able to vote in the special  
18 election.

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

22  
23 SECTION 68. Arkansas Code § 26-74-210(a), concerning special elections  
24 on the issue of a resubmitted question of levy or repeal, is amended to read  
25 as follows:

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

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

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

5 (C)(i) If the petitions request that the issue be  
6 submitted at a special election, the special election shall be called for a  
7 date not less than thirty (30) nor more than sixty (60) days from the date on  
8 which the clerk certifies the sufficiency of the petitions to the county  
9 board of election commissioners.

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

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

18 (B)(i)(a) If a special election is  
19 held on the date of the presidential preferential primary election,  
20 preferential primary election, or general primary election, the issue or  
21 issues to be voted upon at the special election shall be included on the  
22 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,  
29 preferential primary, or general primary in order to be able to vote in the  
30 special election.

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

34  
35 SECTION 69. Arkansas Code § 26-74-603(b), concerning special elections  
36 on the issue of a countywide sales and use tax, is amended to read as

1 follows:

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

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

12 (B)(i)(a) Elections held in months in which a presidential  
13 preferential primary election, preferential primary election, general 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, general primary election, or general election.

17 (b)(1)(A) If an election is held on the date  
18 of the presidential preferential primary election, preferential primary  
19 election, or general primary election, the issue or issues to be voted upon  
20 at the 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 election shall be  
23 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, preferential  
26 primary, or general primary in order to be able to vote in the election.

27 (ii) 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 70. Arkansas Code § 26-75-208(a), concerning special elections  
32 on the issue of local sales and use taxes for the benefit of the city, is  
33 amended to read as follows:

34 (a)(1) On the date of adoption of an ordinance levying a local sales  
35 and use tax for the benefit of the city, or within thirty (30) days following  
36 the adoption of such ordinance, the city shall provide, by ordinance, for the

1 calling and holding of a special election on the question.

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

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

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

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

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

22 (B) No voter shall be required to  
23 vote in a political party's presidential preferential primary, preferential  
24 primary, or general primary in order to be able to vote in the special  
25 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 (3) The date for the special election may be the same as the  
30 date for the next regular municipal election if the election is to be held  
31 within the one-hundred-twenty-day period.

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

35  
36 SECTION 71. Arkansas Code § 26-75-213(a), concerning special elections

1 on the issue of resubmitted city sales and use taxes, is amended to read as  
2 follows:

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

9 (2) Petitions requesting that the issue be submitted to the  
10 electors of the city shall contain the signatures of at least fifteen percent  
11 (15%) of the electors of the city as determined by the total number of votes  
12 cast for all candidates for mayor of the city at the last preceding general  
13 election.

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

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

23 (B)(i) The special election shall occur on the second  
24 Tuesday of any month, except as provided in subdivision (a)(4)(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 general primary election, or general election is scheduled to occur shall be  
29 held on the date of the presidential preferential primary election,  
30 preferential primary election, general primary election, or general election.

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

36 (ii) However, separate

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

4 (B) No voter shall be required to  
5 vote in a political party's presidential preferential primary, preferential  
6 primary, or general primary in order to be able to vote in the special  
7 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  
12 SECTION 72. Arkansas Code § 26-75-308(a), concerning special elections  
13 on the issue of a sales tax for capitol improvements, is amended to read as  
14 follows:

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

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

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

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

32 (2)(A)(i) If a special election is held  
33 on the date of the presidential preferential primary election, preferential  
34 primary election, or general primary election, the issue or issues to be  
35 voted upon at the special election shall be included on the ballot of each  
36 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, preferential  
7 primary, or general primary in order to be able to vote in the special  
8 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.

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

15  
16 SECTION 73. Arkansas Code § 26-75-404(a), concerning special elections  
17 on the issue of temporary taxes for acquisition, construction, or improvement  
18 of parks and effective until the contingency in Acts 2003, No. 1273, § 88 is  
19 met, is amended to read as follows:

20 (a)(1) When the governing body of any city or town adopts an ordinance  
21 levying a local sales and use tax as authorized in this subchapter, the  
22 governing body shall provide, either in the ordinance levying the tax or in a  
23 separate ordinance, for submission of the question of the levy to the  
24 qualified electors of the city or town either at the next regular municipal  
25 election or at a special election.

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

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 general primary election, or general election is scheduled to occur shall be  
36 held on the date of the presidential preferential primary election,

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

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

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

11 (B) No voter shall be required to  
12 vote in a political party's presidential preferential primary, preferential  
13 primary, or general primary in order to be able to vote in the special  
14 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 74. Arkansas Code § 26-75-404, concerning special elections on  
20 the issue of temporary taxes for acquisition, construction, or improvement of  
21 parks and effective when the contingency in Acts 2003, No. 1273, § 88 is met,  
22 is amended to read as follows:

23 (a)(1) When the governing body of any city or town adopts an ordinance  
24 levying a local sales and use tax as authorized in this subchapter, the  
25 governing body shall provide, either in the ordinance levying the tax or in a  
26 separate ordinance, for submission of the question of the levy to the  
27 qualified electors of the city or town either at the next regular municipal  
28 election or at a special election.

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

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

36 (ii)(a)(1) Special elections held in months in which

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

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

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

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

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

21  
 22 SECTION 75. Arkansas Code § 26-78-103 is amended to read as follows:

23 26-78-103. Procedure for levying.

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

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

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

33 (4) A municipality in a county is authorized to levy the vehicle  
 34 tax only if the county quorum court, by the time of adjournment of its  
 35 regular annual session in any calendar year, has failed to levy the vehicle  
 36 tax upon the owners residing within the corporate limits of the municipality

1 or if, by the time of adjournment, the court has not levied the full amount  
 2 of the authorized vehicle tax for the next calendar year at the regular  
 3 annual session or at any special session held in any calendar year prior to  
 4 its regular annual session in the calendar year.

5 (5) Each levy by the county quorum court or by the governing  
 6 body of the municipality shall be for collection during the calendar year  
 7 next following the year in which the levy is made and, except in the case  
 8 where bonds are issued as authorized, unless the levy is again made, the tax  
 9 shall drop at the expiration of the calendar year for which collected and  
 10 shall not again be collected until levied by the county quorum court by the  
 11 time of adjournment of the regular annual session of the county quorum court  
 12 or thereafter by the governing body of a municipality, as indicated.

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

22 (2)(A) The special election shall occur on the second Tuesday of  
 23 any 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,  
 26 general primary election, or general election is scheduled to occur shall be  
 27 held on the date of the presidential preferential primary election,  
 28 preferential primary election, general primary election, or general election.

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

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



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

6                   (b)(1)(A) If a special election is held on the  
7 date of the presidential preferential primary election, preferential primary  
8 election, or general primary election, the issue or issues to be voted upon  
9 at the special election shall be included on the ballot of each political  
10 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, preferential  
16 primary, or general primary in order to be able to vote in the special  
17 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                   (4) If, at the special election, a majority of the qualified  
22 electors of the municipality voting on the issue shall vote for the levy of  
23 the tax, the tax may be thereafter levied in the municipality in the manner  
24 authorized in subsection (a) of this section, and it shall not be necessary  
25 that an election be called again in the municipality on the question of  
26 levying the tax.

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

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

34                   (7) Special elections held pursuant to this chapter shall be  
35 conducted in accordance with the election laws of this state and the form of  
36 the ballot, the method of voting, the counting, tabulation, and certification

1 of the election results shall be in the manner provided by law

2  
3 SECTION 76. Arkansas Code § 27-64-206(a), concerning special elections  
4 on the issue of Arkansas Federal Highway Grant Anticipation and Tax Revenue  
5 Bonds, is amended to read as follows:

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

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

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

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

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

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

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

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