

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 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 2732

5 By: Representative Medley  
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7

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW TO CHANGE THE DATE  
10 OF THE ANNUAL SCHOOL ELECTION TO COINCIDE WITH  
11 OTHER ELECTIONS ON THE FIRST TUESDAY IN NOVEMBER;  
12 AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO AMEND ARKANSAS LAW TO CHANGE  
15 THE DATE OF THE ANNUAL SCHOOL ELECTION  
16 TO COINCIDE WITH OTHER ELECTIONS ON THE  
17 FIRST TUESDAY IN NOVEMBER.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 6-14-102 is amended to read as follows:  
24 6-14-102. Annual school election date - Special school election.

25 (a)(1) The annual school election shall be held in each school  
26 district of the state on the ~~third Tuesday next after the first Monday in~~  
27 ~~September~~ November.

28 (2) The annual school election shall only concern issues  
29 authorized to be on the ballot by the Arkansas Constitution or by statute,  
30 and no other issues shall appear on the ballot.

31 (b) The board of directors of any school district shall have the  
32 authority to hold a school election concerning the tax rate or debt issues on  
33 a date other than that fixed by law provided that:

34 (1) All constitutional and statutory requirements for the annual  
35 school election are met, notwithstanding subdivision (a)(1) of this section;

36 (2) The election is held before the date of the annual school



1 election; and

2 (3) The Commissioner of Education approves the date of the  
3 election.

4 (c)(1) In any election year, if no more than one (1) candidate for  
5 school district director presents a petition or notice in writing to the  
6 county board of election commissioners as required by § 6-14-111 and if there  
7 are no other ballot issues to be submitted to district electors for  
8 consideration, the board of directors of any school district, by resolution  
9 duly adopted, may request the county board of election commissioners to  
10 reduce the number of polling places or to open no polling places on election  
11 day so that the election can be conducted by absentee ballot and early voting  
12 only.

13 (2) If requested by resolution adopted by the board of directors  
14 of any school district, the county board of election commissioners may  
15 provide that no polling places be open on election day so that the election  
16 can be conducted by absentee ballot and early voting only, if:

17 (A) No more than one (1) candidate for school district  
18 director presents a petition or notice in writing to the county board of  
19 election commissioners as required by § 6-14-111; and

20 (B) There are no other ballot issues to be submitted to  
21 district electors for consideration.

22 (3) In a county that uses voting machines or electronic vote  
23 tabulating devices, the county board of election commissioners may choose to  
24 use paper ballots counted by hand in combination with voting machines  
25 equipped for use by individuals with disabilities.

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

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

33 (2) The date of the election is approved by the commissioner;  
34 and

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

1 (B)(i)(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)(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 at 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.

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