

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 894

5 By: Senators E. Williams, G. Baker, Bledsoe, Burnett, J. Dismang, Files, Holland, J. Hutchinson, Irvin,
6 G. Jeffress, J. Jeffress, J. Key, Rapert, Salmon, B. Sample, Teague, Whitaker, D. Wyatt
7 By: Representatives D. Altes, Barnett, Carter, English, Hopper, D. Hutchinson, Rice
8

For An Act To Be Entitled

9
10 AN ACT TO REQUIRE THAT SCHOOL ELECTIONS ARE HELD ON
11 THE SAME DATE AS GENERAL ELECTIONS; TO AMEND THE TERM
12 OF SERVICE FOR SCHOOL BOARD MEMBERS; AND FOR OTHER
13 PURPOSES.
14

Subtitle

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16
17 TO REQUIRE THAT SCHOOL ELECTIONS ARE HELD
18 ON THE SAME DATE AS GENERAL ELECTIONS AND
19 AMEND THE TERM FOR A SCHOOL BOARD MEMBER.
20

21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 6-13-617 is amended to read as follows:
25 6-13-617. Oath -- Term of office.

26 (a) Each director elected or appointed shall, ~~within ten (10) days~~
27 ~~after receiving notice of his or her election or appointment,~~ subscribe to
28 the following oath:

29 "I, _____, do hereby solemnly swear or
30 affirm, that I will support the Constitution of the United States and the
31 Constitution of the State of Arkansas, and that I will not be interested,
32 directly or indirectly, in any contract made by the district of which I am a
33 director, except as permitted by state law and that I will faithfully
34 discharge the duties as school director in

35 _____ School District, No.
36 _____ of



1 _____ County, Arkansas, upon which I am
2 about to enter.”

3 (b) The person shall take the oath under subsection (a) of this
4 section:

5 (1) On or after January 1 but not later than January 10 of the
6 year following the year in which the person was elected in an annual school
7 election; or

8 (2) Within ten (10) days after receiving notice of his or her:

9 (A) Election in a special election; or

10 (B) Appointment.

11 ~~(b)(c)~~ (c) The county clerk, upon receipt of the oath prescribed for a
12 director, ~~shall immediately~~ immediately shall commission ~~such persons, and~~
13 ~~they~~ the person, and the person shall enter at once upon ~~their~~ his or her
14 duties as ~~directors~~ a director.

15 (d) The term of office of a director shall begin on the later of:

16 (A) January 1 following the director’s election in an
17 annual school election; or

18 (B) Upon taking the oath of office under this section.

19 (e) A director shall hold his or her office for the term prescribed by
20 the law and until a successor is elected or appointed and qualified.

21
22 SECTION 2. Arkansas Code § 6-13-618(a), concerning the organizational
23 meeting of a school district board of directors, is amended to read as
24 follows:

25 (a) At the first regular meeting ~~following~~ after ~~the annual school~~
26 ~~election~~ January 1 of each year, the board of directors of each school
27 district shall organize by electing:

28 (1) One (1) ~~of their number~~ member president;

29 (2) One (1) ~~of their number~~ member vice president; and

30 (3) A secretary who may be, but need not be, a member of the
31 board of directors.

32
33 SECTION 3. Arkansas Code § 6-14-101 is amended to read as follows:

34 6-14-101. Applicability of general election laws.

35 (a) The general election laws shall apply to school elections insofar
36 as they are not in conflict with the school election laws.

1 (b) The county board of election commissioners may include the annual
2 school election on a separate ballot if the board determines that a separate
3 ballot is necessary to avoid voter confusion.

4
5 SECTION 3. Arkansas Code § 6-14-102(a)(1), concerning the annual
6 school election date, is amended to read as follows:

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

10
11 SECTION 4. Arkansas Code § 6-14-118 is amended to read as follows:
12 6-14-118. Expenses.

13 (a)(1) In special school elections, the school districts in the county
14 shall reimburse the county for the cost of the election less expenses
15 incurred for election officials at individual polling places, with each
16 school district's share of the total being determined by multiplying the
17 total cost of the election by a fraction, the numerator of which is the
18 number of votes cast in the specific school election and the denominator of
19 which is the total number of votes cast in the entire election.

20 (2) Expenses incurred for election officials at individual
21 polling places shall be paid by the school district in which the polling
22 place is located.

23 (b) At all ~~annual or~~ special elections, the board of directors of each
24 school district shall pay the expenses of the election out of the school
25 fund.

26 (c) A county shall conduct the annual school election or a run-off
27 election resulting from an annual school election at no cost to the school
28 district.