

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4  
5 By: Representative Bell  
6 By: Senator E. Williams  
7

As Engrossed: H4/6/13

# A Bill

HOUSE BILL 2186

## For An Act To Be Entitled

9 AN ACT TO CREATE THE ELECTION EFFICIENCY ACT OF 2013;  
10 TO ENCOURAGE VOTER TURNOUT AT ELECTIONS; TO AMEND THE  
11 LAW CONCERNING THE DATES ON WHICH CERTAIN ELECTIONS  
12 CAN BE HELD; AND FOR OTHER PURPOSES.

## Subtitle

16 TO CREATE THE ELECTION EFFICIENCY ACT OF  
17 2013.

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

22 *SECTION 1. Arkansas Code § 6-14-101 is amended to read as follows:*

23 *6-14-101. Annual school election date – Applicability of general*  
24 *election laws.*

25 *(a)(1) In an even-numbered year the annual school election shall be*  
26 *held in conjunction with the general election under § 7-5-102.*

27 *(2) An annual school election held in conjunction with a general*  
28 *election:*

29 *(A) Is subject to § 6-14-111(a), § 6-14-116, § 6-14-118,*  
30 *and § 6-14-122; and*

31 *(B) Is not subject to the remaining provisions of this*  
32 *subchapter.*

33 *(b) In an odd-numbered year, the annual school election shall be held*  
34 *as provided in this subchapter on the Tuesday next after the first Monday in*  
35 *November.*

36 *(c) The general election laws shall apply to school elections insofar*



1 as they are not in conflict with ~~the school election laws~~ this subchapter.

2  
3 SECTION 2. Arkansas Code § 6-14-102 is amended to read as follows:

4 6-14-102. Annual school election ~~date~~ - Special school election.

5 (a)(1) ~~The annual school election shall be held in each school~~  
6 ~~district of the state on the third Tuesday in September.~~

7 ~~(2) The annual school election shall only concern~~ only issues  
8 related to the school district that are authorized to be on the ballot by the  
9 Arkansas Constitution or by statute, ~~and no other issues shall appear on the~~  
10 ~~ballot.~~

11 (2) If the annual school election issues are included on a  
12 special election ballot that contains issues unrelated to school district  
13 issues, the annual school election issues shall be set apart and clearly  
14 designated as being for the annual school election.

15 (b) The board of directors of any school district shall have the  
16 authority to hold a school election concerning the tax rate or debt issues on  
17 a date other than ~~that fixed by law~~ the date of the annual school election  
18 provided that:

19 (1) All constitutional and statutory requirements for the annual  
20 school election are met, ~~notwithstanding subdivision (a)(1) of this section;~~  
21 and

22 (2) The election is held before the date of the annual school  
23 election for that calendar year; and

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

26 (c)(1) In ~~any an~~ an election year ~~or special election under this section,~~  
27 if no more than one (1) candidate for any school district director position  
28 presents a petition or notice as required by § 6-14-111 and if there are no  
29 other ballot issues to be submitted to school district electors for  
30 consideration, with the exception of the local tax rate if that rate is not  
31 being changed or restructured, the board of directors of any school district,  
32 by resolution, may request the county board of election commissioners to  
33 reduce the number of polling places or to open no polling places on election  
34 day so that the election can be conducted by absentee ballot and early voting  
35 only.

36 (2)(A) If requested by proper resolution adopted by the board of

1 directors of any school district, the county board of election commissioners  
2 may provide that no polling places be open on an election day under this  
3 section so that the election can be conducted by absentee ballot and early  
4 voting only.

5 (B) In a county that uses voting machines or electronic  
6 vote tabulating devices, for an election under this section, the county board  
7 of election commissioners may choose to use paper ballots counted by hand and  
8 may provide that no voting machines shall be used in the election,  
9 notwithstanding any other provision in the Arkansas Code.

10

11 SECTION 3. Arkansas Code § 6-14-106(a)(4), concerning polling places  
12 for school elections, are amended to read as follows:

13 (4)(A) The polling sites for each school election shall be ~~the~~  
14 ~~same as those established for the immediately preceding school election~~  
15 ~~unless changed~~ established by order of the county board of election  
16 commissioners.

17 ~~(B) Each polling site for a school district's annual~~  
18 ~~school election shall be located within the school district.~~

19

20 SECTION 4. Arkansas Code § 6-14-118 is amended to read as follows:  
21 6-14-118. Expenses.

22 (a)(1)(A) In school elections held under § 6-14-102 at which only  
23 school election issues are on the ballot, the school districts in the county  
24 shall reimburse the county for the cost of the election less expenses  
25 incurred for election officials at individual polling places, with each  
26 school district's share of the total being determined by multiplying the  
27 total cost of the election by a fraction, the numerator of which is the  
28 number of votes cast in the specific school election and the denominator of  
29 which is the total number of votes cast in the entire election.

30 ~~(2)(B) Expenses incurred for election officials at~~  
31 ~~individual polling places shall be paid by the school district in which the~~  
32 ~~polling place is located.~~

33 (2)(A) For a school election that is held in conjunction with an  
34 election for the consideration of issues other than school election issues, a  
35 school district shall reimburse the county for expenses incurred in the  
36 election that are related to the school election, with each school district's

1 share of the total being determined by:

2 (i) Multiplying the total cost of the election, less  
3 expenses incurred for election officials at individual polling places, by a  
4 fraction, the numerator of which is the number of issues in the specific  
5 school district's school election and the denominator of which is the total  
6 number of issues in the entire election; and

7 (ii) Adding to the cost determined under subdivision  
8 (a)(1)(B) of this section the expenses incurred for election officials at  
9 individual polling places within a school district that are designated only  
10 for the school election.

11 (B) For an election held under this subdivision (a)(2), if  
12 the county board of election commissioners includes the school election on a  
13 separate ballot as authorized by law, the school district shall reimburse the  
14 county for:

15 (i) The cost of printing and programming the  
16 separate ballot; and

17 (ii) The cost of any additional poll workers and  
18 election supplies that the county board of election commissioners certifies  
19 to be necessary to process the separate ballot.

20 (b) ~~At all annual or special elections, the~~ The board of directors of  
21 each school district shall pay the expenses of the election under this  
22 section out of the school fund.

23  
24 SECTION 5. Arkansas Code § 6-14-121(a)(1), concerning school district  
25 runoff elections, is amended to read as follows:

26 (a)(1) Whenever there are more than two (2) candidates for election to  
27 any position on a board of directors at ~~any election held in this state an~~  
28 election held under § 6-14-102, and whenever no candidate for any school  
29 district position receives a majority of the votes cast for the office or  
30 whenever there is a tie vote, there shall be a runoff election held ~~in~~ for  
31 the school district.

32  
33 SECTION 6. Arkansas Code § 6-14-122(b), concerning school elections  
34 for consolidation, annexation, or merger of school districts, is amended to  
35 read as follows:

36 (b) The boards of directors of the school districts may, by resolution

1 *duly adopted and with the approval of the Commissioner of Education, set a*  
2 *date for the annual school election in that year for the school districts*  
3 *involved on a date other than the date set ~~in § 6-14-102~~ under this*  
4 *subchapter for all school districts, provided only one (1) annual school*  
5 *election may be held in any school district in one (1) calendar year.*

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*/s/Bell*

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