

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1420

5 By: Representative Boyd
6 By: Senator B. Ballinger
7

For An Act To Be Entitled

9 AN ACT TO AMEND CANDIDATE FILING AND PETITION
10 CIRCULATION PERIODS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND CANDIDATE FILING AND PETITION
14 CIRCULATION PERIODS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 6-14-111(e)(1), concerning the circulation
21 period and filing of a petition for election to a school district board of
22 directors, is amended to read as follows:

23 (e)(1) The petition, affidavit of eligibility, and the candidate's
24 political practices pledge shall be filed with the county clerk as follows:

25 (A)(i) ~~During~~ For even-numbered years, during the party
26 filing period as set forth in § 7-7-203 for school elections held
27 concurrently with a preferential primary election;

28 (ii) For odd-numbered years, during the dates that
29 would be the filing period as forth in 7-7-203 if a preferential primary and
30 general election were to be held in that year; or

31 (B) During a one-week period ending at 12:00 noon ~~ninety~~
32 ~~(90) days before the election for~~ on August 1 for school elections held ~~in~~
33 ~~odd years or concurrently with a general election~~ on the first Tuesday
34 following the first Monday in November.
35

36 SECTION 2. Arkansas Code § 6-14-111(f), concerning the circulation



1 period and filing of a petition for election to a school district board of
2 directors, is amended to read as follows:

3 (f)(1) Candidates may begin circulating petitions not earlier than
4 ~~thirty (30)~~ ninety (90) days before the filing deadline under subdivision
5 (e)(1) of this section.

6 (2) A signature dated more than ~~thirty (30)~~ ninety (90) days
7 before the filing deadline under subdivision (e)(1) of this section shall not
8 be counted by the county clerk as a valid signature.

9
10 SECTION 3. Arkansas Code § 6-14-111(h), concerning the circulation
11 period and filing of a petition for election to a school district board of
12 directors, is amended to read as follows:

13 (h)(1) The county board of election commissioners shall place on the
14 ballot as candidates for school district director the names of any qualified
15 registered voters whose political practices pledges and affidavits of
16 eligibility have been filed and whose petitions have been filed with and
17 verified by the county clerk of the county in which the school district is
18 domiciled for administrative purposes.

19 (2) The county board of election commissioners shall not place
20 the name of an unopposed candidate for school district director on the ballot
21 during a school board election held concurrently with the preferential
22 primary election or general election.

23
24 SECTION 4. Arkansas Code § 6-61-520(c)(2) and (3), concerning filing
25 for candidacy for a local board of a community college, are amended to read
26 as follows:

27 (2) Any person desiring to be a candidate for a position on the
28 local board shall, ~~not later than 12:00 noon of the seventieth day prior to~~
29 ~~the annual school election at which the position on the board is to be filled~~
30 ~~or the eighty first day before the general election at which the position on~~
31 ~~the board is to be filled~~ during the respective filing period set forth in §
32 6-14-111(e)(1), file a notarized statement of such candidacy with the county
33 clerk of each county of which any portion is in the community college
34 district, in substantially the following form:

35 "State of Arkansas
36 County of

1 I,, being first duly sworn, state that I reside at
2; that I am a resident and qualified elector of
3 community college district; that I am a candidate for the office of position
4 No..... on the local board of such community college, and I hereby request
5 that my name be placed on the ballot as a candidate for such position at the
6 coming general or annual school election.

7 (Signed)

8 Subscribed and sworn to before me this day of, 20

9 (Signed) _____

10 Notary Public”.

11 (3)(A) At the time of filing the statement of candidacy, the
12 candidate shall pay a ballot fee of three dollars (\$3.00) and shall file a
13 petition containing the signatures of at least twenty-five (25) qualified
14 electors of the district, requesting that the name of ~~such person~~ the
15 candidate be placed on the ballot as a candidate for the position on the
16 local board.

17 (B) Candidates may begin circulating petitions not earlier
18 than ninety (90) days before the filing deadline under subdivision (c)(2) of
19 this section.

21 SECTION 5. Arkansas Code § 7-5-205(3), concerning filing for write-in
22 candidacy, is amended to read as follows:

23 (3) The notice of write-in candidacy, the political
24 practices pledge, and the affidavit of eligibility are filed ~~no later than~~
25 ~~the last day of~~ during the party filing period; and

27 SECTION 6. Arkansas Code § 7-5-207(a)(2)(A), concerning the unopposed
28 candidates’ names not required to appear on the general election ballot, is
29 amended to read as follows:

30 (a)(2)(A) Except as provided in subdivision (a)(2)(B) of this section,
31 unopposed candidates for all offices, including school board positions, shall
32 be declared and certified elected without the necessity of including those
33 names on the general election ballot.

35 SECTION 7. Arkansas Code § 14-42-206(b)(1) and (2), concerning filing
36 for independent candidacy for municipal office in cities and towns with the

1 mayor-council form of government, are amended to read as follows:

2 (b)(1) Any person desiring to become an independent candidate for
 3 municipal office in cities and towns with the mayor-council form of
 4 government shall file ~~not more than one hundred two (102) days nor less than~~
 5 ~~eighty one (81) days before the general election by 12:00 noon~~ during a one-
 6 week period ending at 12:00 noon ninety (90) days before the general election
 7 with the county clerk the petition of nomination in substantially the
 8 following forms:

9 (A) For all candidates except council members in cities of
 10 the first class and cities of the second class:

11 "PETITION OF NOMINATION

12 We, the undersigned qualified electors of the city (town) of _____, Arkansas,
 13 being in number not less than ten (10) for incorporated towns and cities of
 14 the second class, and not less than thirty (30) for cities of the first
 15 class, do hereby petition that the name of _____ be placed on the ballot for
 16 the office of _____ (A candidate for council member in an incorporated
 17 town shall identify the position for which he or she is running) at the next
 18 election of municipal officials in 20____.

19 Printed Name:_____

20 Signature:_____

21 Street Address:_____

22 Date of Birth:_____

23 Date of Signing:_____".

24 (B) For candidates for council member elected by ward in
 25 cities of the first class and cities of the second class, the nominating
 26 petitions shall be signed only by qualified electors of the ward in the
 27 following manner:

28 "PETITION OF NOMINATION

29 We, the undersigned qualified electors of Ward _____ of the city of _____,
 30 Arkansas, being in number not less than ten (10) for cities of the second
 31 class, and not less than thirty (30) for cities of the first class, do hereby
 32 petition that the name of _____ be placed on the ballot for the office of
 33 council member, Ward _____, position _____, of the next election of municipal
 34 officials in 20 _____.

35 Printed Name:_____

36 Signature:_____

1 Street Address:_____

2 Date of Birth:_____

3 Date of Signing:_____”.

4 (C) For at-large candidates for council member of a ward
5 in cities of the first class and cities of the second class, the nominating
6 petitions shall be signed by a qualified elector of the city in the following
7 manner:

8 “PETITION OF NOMINATION

9 We, the undersigned qualified electors of the city of _____, Arkansas, being
10 in number not less than ten (10) for cities of the second class, and not less
11 than thirty (30) for cities of the first class, do hereby petition that the
12 name of _____ be placed on the ballot for the office of council member, Ward
13 _____, position _____, of the next election of municipal officials in 20
14 _____.

15 Printed Name:_____

16 Signature:_____

17 Street Address:_____

18 Date of Birth:_____

19 Date of Signing:_____”.

20 (2)(A) An independent candidate for municipal office may qualify
21 by a petition, to be circulated no longer than ninety (90) days of not fewer
22 than ten (10) electors for incorporated towns and cities of the second class
23 and not fewer than thirty (30) electors for cities of the first class of the
24 ward or city in which the election is to be held.

25 (B)(i) The county clerk shall determine no later than ten
26 (10) days from filing whether the petition contains the names of a sufficient
27 number of qualified electors and certify that no signatures are dated more
28 than ninety (90) days before the filing of the petition.

29 (ii) The county clerk’s determination shall be made
30 no less than seventy-five (75) days before the general election.

31 (C) The county clerk promptly shall notify the candidate
32 of the result.

33

34 SECTION 8. Arkansas Code § 14-116-303(a)(1) and (2), concerning the
35 nomination by petition of directors of water district boards, are amended to
36 read as follows:

1 (a)(1)(A) If a water district is composed of all or a portion of four
 2 (4) or more counties, then nominations for directors shall be upon ~~petitions~~
 3 a petition signed by at least fifty (50) qualified electors residing in the
 4 area of the district from which the director is to be elected, to be
 5 circulated for no longer than ninety (90) days.

6 (B) ~~This petition~~ The petition under subdivision (a)(1)(A)
 7 of this section shall be filed with the county clerk ~~not later than 12:00~~
 8 ~~noon on July 1 before the general election~~ during a one-week period ending at
 9 12:00 noon ninety (90) days before the general election.

10 (2)(A) If a water district is composed of all or a portion of
 11 less than four (4) counties, then nominations for directors shall be upon
 12 ~~petitions~~ a petition signed by at least fifty (50) qualified electors, who
 13 shall consist of those electors residing in all or part of any precinct in
 14 the service area of the customers of the district from which the director is
 15 to be elected.

16 (B) ~~This petition~~ The petition under subdivision (a)(2)(A)
 17 of this section shall be circulated no longer than ninety (90) days and filed
 18 with the county clerk ~~not later than 12:00 noon on July 1 before the general~~
 19 ~~election~~ during a one-week period ending at 12:00 noon ninety (90) days
 20 before the general election.

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