

**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.**

INTERIM STUDY PROPOSAL 2007-097

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

HOUSE BILL 2732

By: Representative Medley

Referred to  
State Agencies & Gov't Affairs- House  
by the House of Representatives  
on 03/20/2007

## For An Act To Be Entitled

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

## Subtitle

AN ACT TO AMEND ARKANSAS LAW TO CHANGE  
THE DATE OF THE ANNUAL SCHOOL ELECTION  
TO COINCIDE WITH OTHER ELECTIONS ON THE  
FIRST TUESDAY IN NOVEMBER.

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

SECTION 1. Arkansas Code § 6-14-102 is amended to read as follows:

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

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

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

(b) The board of directors of any school district shall have the

1 authority to hold a school election concerning the tax rate or debt issues on  
2 a date other than that fixed by law provided that:

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

5 (2) The election is held before the date of the annual school  
6 election; and

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

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

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

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

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

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

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

36 (1) All constitutional and statutory requirements for a special

1 school election are met;

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

4 (3)(A) The special election is held on the second Tuesday of any  
5 month, except as provided in subdivision (d)(3)(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 at 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.

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