

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 504

By: Senator J. English
By: Representative Lowery

For An Act To Be Entitled

AN ACT TO AMEND THE DATE OF AN ANNUAL SCHOOL
ELECTION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DATE OF AN ANNUAL SCHOOL
ELECTION.

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:

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

(2)(A) Except as provided in subdivision (a)(2)(B) of this section, 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) ~~If the~~ At an annual school election that is held in November of an even-numbered year, the issues to be considered in the annual school election may be printed on the same ballot as the general election ballot.

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

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



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

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

(c)(1) In any election year ~~in which the annual school election is held in September~~, if no more than one (1) candidate for any school district director position presents a petition or notice as required by § 6-14-111 and if there are no other ballot issues to be submitted to school district electors for consideration, with the exception of the local tax rate if that rate is not being changed or restructured, the board of directors of any school district, by resolution, may request the county board of election commissioners to:

(A) Reduce the number of polling places;

(B) Open no polling places on election day so that the election can be conducted by absentee ballot and early voting only; or

(C) Open no polling places on election day and hold an election by candidate under the procedure in § 7-11-107(c).

(2)(A) ~~If the annual school election is held in September and upon~~ Upon request by proper resolution adopted by the board of directors of any school district, the county board of election commissioners may provide that no polling places be open on election day so that the election can be conducted by:

(i) Absentee ballot and early voting only; or

(ii) Election by candidate under the procedure in § 7-11-107(c).

(B) If a county uses electronic voting machines or electronic vote tabulating devices, the county board of election commissioners may use:

(i) The electronic voting machines or electronic vote tabulating devices; or

(ii) Paper ballots counted by hand and provide no voting machines to be used in the election, notwithstanding any other provision in the Arkansas Code.

SECTION 2. The introductory language of Arkansas Code § 6-14-106(b), concerning polling places and qualifications and appointment of election

commissioners and poll workers, is amended to read as follows:

(b) If the annual school election is held ~~in September of any year or~~ in November of an odd-numbered year and a school district has territory in more than one (1) county, the county board of election commissioners of the county in which the school district is domiciled shall designate in a contested school election one (1) or more polling sites in each county:

SECTION 3. Arkansas Code § 6-14-115(a)(1)(B), concerning the school elections and results, is amended to read as follows:

(B) Subdivision (a)(1)(A) of this section shall apply regardless of ~~whether~~ the date the annual school election is held ~~on the third Tuesday in September or the first Tuesday following the first Monday in November.~~