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4

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A Bill

HOUSE BILL 1422

5 By: Representative Bell
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT TO PROMOTE VOTER TURNOUT; TO AMEND THE LAW TO
10 LIMIT THE DATES ON WHICH CERTAIN SPECIAL ELECTIONS
11 CAN BE HELD; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO PROMOTE VOTER TURNOUT; AND TO AMEND
16 THE LAW TO LIMIT THE DATES ON WHICH
17 CERTAIN SPECIAL ELECTIONS CAN BE HELD.
18
19

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

22 SECTION 1. Arkansas Code Title 7, Chapter 11, Subchapter 3, is amended
23 to add an additional section to read as follows:

24 7-11-304. Dates of special elections.

25 (a) The proclamation, ordinance, resolution, order, or other
26 authorized document calling for a special election shall:

27 (1) Set the date of the special election; and

28 (2) Be filed at least seventy-five (75) days before the date the
29 special election is to be held.

30 (b) Except as provided under subsection (f) of this section, if a
31 special election is called in a year in which a preferential primary election
32 or general election is held, the special election shall be held with the
33 preferential primary election or general election.

34 (c) Except as provided under subsection (f) of this section, if a
35 special election is called in a year in which a preferential primary election
36 or general election is not held, the special election shall be held on the



1 Tuesday next after the first Monday in May or the Tuesday next after the
2 first Monday in November.

3 (d) This section does not apply to special elections to fill vacancies
4 in office, special runoff elections, or special elections otherwise provided
5 for by law.

6 (e) A proclamation, ordinance, resolution, or order under this section
7 is not required to be filed for a special school election.

8 (f)(1) An emergency special election may be held on a date other than
9 the dates specified under subsections (b) and (c) of this section if an
10 emergency requires that the election be held on a date other than the dates
11 specified in subsections (b) and (c) of this section.

12 (2) As used in this section "emergency" means:

13 (A) Either:

14 (i) A substantial change in the interpretation of
15 the law by the federal or state courts which if not addressed by an election
16 will render the governing entity incapable of performing its lawful duties
17 and obligations; or

18 (ii) A substantial change in circumstances due to a
19 fire, flood, tornado, or other natural disaster which if not addressed by an
20 election will render the governing entity financially incapable of performing
21 its lawful duties and obligations; and

22 (B) Delay of the special election until the next date
23 under subsections (b) and (c) of this section would cause a substantial and
24 undue hardship to the governing entity.

25
26 SECTION 2. Arkansas Code § 2-16-504(b)(1), concerning elections to
27 establish Johnson grass control and eradication districts, is amended to read
28 as follows:

29 ~~(b)(1) Immediately upon the submission of~~ If the petition to the
30 ~~county court or courts is submitted under subdivision (a)(1) of this section,~~
31 ~~the court or courts shall issue a proclamation calling the election in~~
32 ~~accordance with~~ under § 7-11-201 et seq. and notify the county board or
33 boards of election commissioners in writing. The election shall be held on a
34 date ~~in accordance with~~ under § 7-11-201 et seq. ~~but in no event more than~~
35 ~~ninety (90) days following publication of the proclamation.~~

36

1 SECTION 3. Arkansas Code § 3-8-205(e)(3), concerning an election date
2 by petition regarding local option, is amended to read as follows:

3 (3) If the decision is in favor of the petitioners, then the county
4 board of election commissioners shall set the day for the election, which
5 shall be not earlier than sixty-five (65) days ~~nor later than ninety (90)~~
6 ~~days~~ after the final decision of the Supreme Court and shall be held on a
7 date authorized under § 7-11-201 et seq.

8
9 SECTION 4. Arkansas Code § 6-13-608, concerning length of directors'
10 terms, is amended to add an additional subdivision to read as follows:

11 (d)(1) If a member of a school district board of directors is serving
12 a term which is scheduled to end pursuant to the annual school election in
13 September 2017, he or she will be replaced by the person who is elected to
14 fill that position in the annual school election in May 2017.

15 (2) Before February 1, 2017, the school district boards of
16 directors shall meet and arrange the terms of the remaining members of the
17 school district board of directors so that they meet the requirements of this
18 section.

19
20 SECTION 5. Arkansas Code § 6-13-634(c)(6), concerning board of
21 directors size, is amended to read as follows:

22 (6) If the number of members of a board of directors is decreased
23 under this section, the board of directors in office on ~~August~~ April 12
24 before the next regular school election shall draw lots to determine which
25 board positions will be eliminated.

26
27 SECTION 6. Arkansas Code § 6-14-102 is amended to read as follows:

28 6-14-102. Annual school election date – Special school election.

29 (a)~~(1)~~ The annual school election shall be held in each school district
30 of the state on the ~~third Tuesday in September,~~

31 ~~(2) The annual school election shall only concern issues~~
32 ~~authorized to be on the ballot by the Arkansas Constitution or by statute,~~
33 ~~and no other issues shall appear on the ballot~~ following dates:

34 (1) If the annual school election is held in an odd-numbered
35 year, the Tuesday next after the first Monday in May; and

36 (2) If the annual school election is held in an even-numbered

1 year, the date of the preferential primary election.

2 (b) The board of directors of any school district ~~shall have the~~
3 ~~authority to~~ may hold a school election concerning the tax rate or debt
4 issues on a date ~~other than that fixed by law~~ under § 7-11-304 provided that:

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

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

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

12 (c)(1) In ~~any~~ an annual school election ~~year~~ or special school
13 election, if no more than one (1) candidate for ~~any~~ each school district
14 director position presents a petition or notice as required by § 6-14-111 and
15 if there ~~are~~ is no other ~~ballot issues to be submitted to school district~~
16 ~~electors for consideration~~ issue, measure, question, or candidate on the
17 ballot, with the exception of the local tax rate if that rate is not being
18 changed or restructured, the board of directors of ~~any~~ a school district, by
19 resolution, may request the county board of election commissioners to reduce
20 the number of polling places or to open no polling places on election day so
21 that the election can be conducted by absentee ballot and early voting only.

22 (2)(A) If requested by ~~proper~~ resolution adopted by the board of
23 directors of ~~any~~ a school district, the county board of election
24 commissioners may provide that no polling places be open on election day so
25 that the election can be conducted by absentee ballot and early voting only.

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

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

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

34
35 *SECTION 7. Arkansas Code § 6-14-106 is amended to read as follows:*

36 *6-14-106. Polling places – Qualifications and appointment of election*

1 commissioners and poll workers.

2 ~~(a)(1) The county board of election commissioners of each county shall~~
3 ~~designate all~~ Except as provided under subsection (b) of this section, the
4 the polling sites for each school district in its respective county,
5 including districts having territory in more than one (1) county but which
6 are domiciled in its county for administrative purposes, and shall be the
7 same as the polling sites designated by the county board of election
8 commissioners under § 7-5-101.

9 (2) The county board of election commissioners shall provide the
10 election supplies and appoint the poll workers for holding all school
11 elections.

12 ~~(2) The county board shall consult with each school district~~
13 ~~regarding:~~

14 ~~(A) The number of polling sites to designate for each~~
15 ~~school district; and~~

16 ~~(B) The location of the polling sites.~~

17 ~~(3) Polling sites for school elections shall be established by a~~
18 ~~majority vote of the members of the county board of election commissioners~~
19 ~~present.~~

20 (b)(1)(A) If the school election is on a date on which no other
21 elections are held, the school district board of directors by majority vote
22 shall designate the polling sites for the district.

23 ~~(4)(A)(B)~~ The polling sites for each the school election shall
24 be the same as those established for the immediately preceding school
25 election that was held on a date on which no other elections were held unless
26 changed by order of the county board of election commissioners school
27 district board of directors.

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

30 (C) The school district board of directors shall consult
31 with the county board of election commissioners regarding:

32 (i) The number of polling sites to designate for
33 each school district; and

34 (ii) The location of the polling sites.

35 ~~(b)(2) If a school district has territory in more than one (1) county,~~
36 ~~the county board of election commissioners of the county in which the school~~

1 ~~district is domiciled~~ school board of directors shall designate in a
2 contested school election one (1) or more polling sites in each county:

3 ~~(1)~~(A) In which the school district has territory;

4 ~~(2)~~(B) In which school district territory contains a city of the
5 second class or larger; and

6 ~~(3)~~(C) That has registered electors.

7 ~~(e)~~(3) The county board of election commissioners shall take
8 appropriate action to assure that the necessary precinct registration files
9 are delivered to each polling site in order that the electors in each county
10 may vote in the school election.

11 ~~(d)~~(1)(4)(A) The board of directors of each school district shall
12 cause to be published, by at least one (1) insertion in a newspaper with
13 general circulation in the county or counties in which the school district is
14 located, not more than ten (10) days nor less than three (3) days before any
15 school election under this subsection, a notice identifying the polling site
16 for each ward or precinct.

17 ~~(2)~~(B) If the polling site for any ward or precinct has changed
18 since the last school election, the notice shall indicate the change.

19 ~~(e)~~(1)(c)(1) In addition to any other qualification under Arkansas law
20 regarding members of the county board of election commissioners, a member of
21 the county board of election commissioners who is a paid employee of any
22 school district holding the election in the county shall be disqualified from
23 participating as a member of the county board of election commissioners in
24 any matter concerning the school election.

25 (2) In the event of a disqualification under subdivision ~~(e)~~(1)
26 (c)(1) of this section, the disqualified member shall notify the chair of the
27 county committee of the affected party of the disqualification no later than
28 sixty (60) days before the school election, or if the disqualified member is
29 the county chair, the notice shall be provided to the chair of the state
30 committee of the affected party.

31 (3) The chair of the county committee of the party affected by
32 disqualification of a member of the county board of election commissioners
33 shall appoint a qualified person to replace the disqualified member for the
34 school election, or if the disqualified member is the county chair, the state
35 chair of the affected party shall appoint a qualified person to replace the
36 disqualified member for the school election.

1 ~~(f)(1)~~(d)(1) The county board of election commissioners of the
2 domicile county shall appoint one (1) election judge and one (1) election
3 sheriff for each polling site and as many additional election clerks as are
4 necessary for the efficient administration of elections at each polling site.

5 (2) In addition to any other qualification under Arkansas law
6 regarding poll workers, a poll worker at a school election shall not be a
7 paid employee of the school district holding the election.

8
9 SECTION 8. Arkansas Code § 6-14-109 is amended to read as follows:
10 6-14-109. Notice of elections.

11 ~~(a)(1) The~~ If the school election is on a date on which no other
12 elections are held, the board of directors of ~~each~~ the school district shall
13 give notice by advertisement one (1) time a week for three (3) weeks before
14 each election to be held within the school district, setting out the time,
15 place, and questions to be submitted to the electors at the election.

16 ~~(b)(2)~~ The advertisement provided for shall begin at least twenty (20)
17 days before the date of the school election and shall be in a newspaper
18 either published in or having a bona fide circulation in the county or
19 counties in which the school district is administered.

20 ~~(e)(3)~~ This provision for notice of school elections shall be the sole
21 requirement for the publication of the notice under this subsection.

22 (b)(1) If the school election is on a date on which other elections
23 are held and is a special election, the county board of election
24 commissioners shall publish notice in the manner provided by § 7-11-201 et
25 seq.

26 (2) If the annual school election is on a date on which other
27 elections are held, the county board of election commissioners shall publish
28 notice in the manner provided by § 7-5-206.

29 (3) Notice under this subsection shall include the time, place,
30 and questions to be submitted to the electors at the election.

31
32 SECTION 9. Arkansas Code § 6-14-111(e) - (g), concerning candidate
33 filing procedures, are amended to read as follows:

34 (e) The petition, affidavit of eligibility, and the candidate's
35 political practices pledge shall be filed with the clerk during a one-week
36 period ending at 12:00 noon ~~seventy (70) days~~ on the first day of March

1 before the annual school election and beginning at 12:00 noon one (1) week
2 before the first day of March before the annual school election.

3 (f)(1) Candidates may begin circulating petitions not earlier than one
4 hundred (100) days before the first day of March before the annual school
5 election.

6 (2) A signature dated more than one hundred (100) days before the
7 first day of March before the annual school election shall not be counted by
8 the clerk as a valid signature.

9 (g) Votes for a write-in candidate for school district director shall
10 not be counted or tabulated unless the candidate files with the county clerk
11 during a one-week period ending at 12:00 noon ~~seventy (70) days before the~~
12 ~~annual school election~~ on the first day of March before the annual school
13 election and beginning at 12:00 noon one (1) week before the first day in
14 March before the annual school election:

15 (1) A written notice of his or her intention to be a write-in
16 candidate identifying the position sought, including without limitation the
17 position number or other identifying information if applicable;

18 (2) An affidavit of eligibility; and

19 (3) The political practices pledge.
20

21 SECTION 10. Arkansas Code § 6-14-111(j), concerning candidate filing
22 procedures, is amended to read as follows:

23 (j) The order in which the names of the respective candidates are to
24 appear on the ballot shall be determined by lot at the public meeting of the
25 county board of election commissioners held not later than ~~sixty-seven (67)~~
26 seventy-two (72) days before the annual school election.
27

28 SECTION 11. Arkansas Code § 6-14-118(a), concerning reimbursement for
29 the cost of school elections, is amended to read as follows:

30 ~~(a)(1) In school elections, the school districts in the county shall~~
31 ~~reimburse the county for the cost of the election less expenses incurred for~~
32 ~~election officials at individual polling places, with each school district's~~
33 ~~share of the total being determined by multiplying the total cost of the~~
34 ~~election by a fraction, the numerator of which is the number of votes cast in~~
35 ~~the specific school election and the denominator of which is the total number~~
36 ~~of votes cast in the entire election.~~

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

4 (a)(1) If the school election is held in an odd-numbered year, the
5 school district in the county shall reimburse the county for the cost of the
6 election less the additional costs and expenses incurred for special
7 elections not related to the school district.

8 (2) If the school election is held in an even-numbered year, the
9 school district in the county shall reimburse the county an amount equal to
10 the amount the school district reimbursed the county for the last contested
11 school election in an odd-numbered year.

12
13 SECTION 12. Arkansas Code § 6-14-121(a)(3), concerning runoff
14 elections following the annual school election, is amended to read as
15 follows:

16 (3)(A) The If the runoff election is held in an odd-numbered
17 year, the runoff election shall be held three (3) weeks following the date of
18 the election.

19 (B) If the runoff election is held in an even-numbered
20 year, the runoff election shall be held on the date of the general primary
21 election.

22
23 SECTION 13. Arkansas Code § 6-14-122(b), concerning dates for
24 elections regarding the consolidation, annexation, or merger of school
25 districts, is amended to read as follows:

26 (b) The boards of directors of the school districts may, by
27 resolution duly adopted and with the approval of the Commissioner of
28 Education, set a date for the annual school election in that year for the
29 school districts involved on a date ~~other than the date set in § 6-14-102 for~~
30 ~~all school districts~~ under § 7-11-304, provided only one (1) annual school
31 election may be held in any school district in ~~one (1) a~~ calendar year.

32
33 SECTION 14. Arkansas Code § 6-53-602(b)(2), concerning publication of
34 proclamation by a community college, is amended to read as follows:

35 (2)(A) The local board or acting local board shall issue a
36 proclamation and set a date for the election under § 7-11-201 et seq., ~~but~~

1 ~~the date set for the election shall not be later than~~

2 (B) The local board or acting local board shall publish
3 the proclamation at least ninety (90) days ~~after the publication of the~~
4 proclamation before the election date.

5
6 SECTION 15. Arkansas Code § 6-53-603(a)(2), concerning the date of
7 election for a tax levy called by a local board of a community college, is
8 amended to read as follows:

9 (2) ~~It~~ The tax may be reduced or repealed, with the exception of
10 the amount of tax required to service ~~any~~ an outstanding ~~bonds~~ bond, or the
11 tax may be increased upon approval ~~thereof~~ by a majority of the qualified
12 electors of the district voting on the issue at ~~an~~ the next election called
13 by the local board or acting local board to be held ~~at least thirty (30)~~
14 ~~calendar days after the local board or acting local board notifies the county~~
15 ~~boards of election commissioners~~ under § 7-11-304.

16
17 SECTION 16. Arkansas Code § 6-53-604(b), concerning dissolution of a
18 technical college district, is amended to read as follows:

19 (b)(1) ~~The petitions~~ A petition shall be filed with the Secretary of
20 State, ~~who, within.~~

21 (2) The Secretary of State, within ten (10) days of the receipt
22 and verification ~~by the Secretary of State~~ of the sufficiency of ~~the~~
23 ~~petitions,~~ a petition, shall notify the county ~~boards~~ board of election
24 commissioners in each county in the district that an election ~~shall~~ is to be
25 held ~~at a time not less than thirty (30) days nor more than one hundred~~
26 ~~eighty (180) days from the date of notification~~ under § 7-11-304.

27
28 SECTION 17. Arkansas Code § 7-1-101(15), concerning the definition of
29 "general or special election", is amended to read as follows:

30 (15) "General or special election" means the regular biennial or annual
31 election for election of United States, state, district, county, township,
32 and municipal officials and the special elections to fill vacancies therein
33 and special elections to approve any measure. ~~The term as used in this act~~
34 ~~shall not apply to school elections for officials of school districts;~~

35
36 SECTION 18. Arkansas Code § 7-5-309(b)(1)(B), concerning the time

1 allowed to mark a ballot, is amended to read as follows:

2 (B) A voter shall not be allowed more than ~~five~~ (5) ten
3 (10) minutes to mark his or her ballot.

4
5 SECTION 19. Arkansas Code § 7-7-306 is amended to read as follows:
6 7-7-306. Partisan and nonpartisan general election ballots.

7 (a) At each party primary and nonpartisan general election, each
8 county board of election commissioners shall furnish a separate ballot for
9 each political party containing:

10 (1) The name of each person seeking nomination as a candidate of
11 that political party;

12 (2) The name of each candidate for the general election to a
13 nonpartisan office under § 7-10-101;

14 (3) The name of each candidate for school district board of
15 directors; and

16 ~~(3)(4)~~ (4) All measures and questions, if any, to be decided by the
17 voters.

18 (b) The county board of election commissioners shall also furnish a
19 separate ballot containing the names of all qualified candidates for the
20 general election to nonpartisan offices, all candidates for school district
21 board of directors, and all measures, if any, to be decided by the voters.

22
23 SECTION 20. Arkansas Code § 7-11-205 is amended to read as follows:

24 7-11-205. Dates of special elections on measures and questions -
25 Exceptions - Separate ballots.

26 (a) ~~(1)(A) Except as provided in subdivision (a)(1)(B) of this section,~~
27 ~~all special elections~~ A special election on measures a measure or ~~questions a~~
28 question shall be held ~~on the second Tuesday of any month, except special~~
29 ~~elections held under this section in a month in which a preferential primary~~
30 ~~election or general election is scheduled to occur shall be held on the date~~
31 ~~of the preferential primary election or general election~~ under § 7-11-304.

32 ~~(B)(i) Special elections scheduled to occur in a month in~~
33 ~~which the second Tuesday is a legal holiday shall be held on the third~~
34 ~~Tuesday of the month.~~

35 ~~(ii) A special election called in June of an even-~~
36 ~~numbered year shall be held on the fourth Tuesday of the month.~~

1 ~~(2)(A)(b)(1)~~ If a special election is held on the date of the
2 preferential primary election, the issue or issues to be voted upon at the
3 special election shall be included on the ballot of each political party.

4 ~~(B)(2)~~ The portion of the ballot containing the special
5 election shall be labeled with a heading stating "SPECIAL ELECTION ON
6 _____" with
7 a brief description of the measure or question to be decided in the election.

8 ~~(3)(c)~~ Separate ballots containing the issue or issues to be
9 voted on at the special election and candidates for nonpartisan judicial
10 office shall be prepared and made available to voters requesting a separate
11 ballot.

12 ~~(4)(d)~~ A voter shall not be required to vote in a political
13 party's preferential primary in order to be able to vote in the special
14 election.

15 ~~(b)(1)~~ ~~A special election shall be held not less than seventy (70)~~
16 ~~days following the date that the proclamation, ordinance, resolution, order,~~
17 ~~or other authorized document is filed with the county clerk when the special~~
18 ~~election is to be held on the date of the preferential primary election or~~
19 ~~general election.~~

20 ~~(2)~~ ~~If the special election is not held at the same time as a~~
21 ~~preferential primary election or general election, the special election shall~~
22 ~~be held not less than sixty (60) days following the date that the~~
23 ~~proclamation, ordinance, resolution, order, or other authorized document is~~
24 ~~filed with the county clerk.~~

25
26 SECTION 21. Arkansas Code § 14-14-917(a)(2), concerning special
27 elections for referendum petition measures, is amended to read as follows:

28 (2) Referendum. Referendum petition measures may be submitted to the
29 electors during a regular general election and shall be submitted if the
30 adequacy of the petition is determined within the time limitation prescribed
31 in this section. A referendum measure may also be referred to the electors at
32 a special election called for the expressed purpose proposed by petition.
33 However, no referendum petition certified within the time limitations
34 established for initiative measures shall be referred to a special election,
35 but shall be voted upon at the next regular election. No referendum election
36 shall be held ~~less than sixty (60) days after the certification of adequacy~~

1 ~~of the petition by the county clerk on a date under § 7-11-304.~~

2
3 SECTION 22. Arkansas Code § 14-20-108(a)(1)(B)(i)(b), concerning
4 special elections on the issue of the levy of volunteer fire department dues
5 on residences, is amended to read as follows:

6 (b)~~(1)~~ The issue may be placed on the ballot at
7 a special election by order of the quorum court in accordance with § 7-11-201
8 et seq.

9 ~~(2) The special election shall be held by~~
10 ~~August 1.~~

11
12 SECTION 23. Arkansas Code § 14-47-140(d), concerning special elections
13 for mayor, is amended to read as follows:

14 (d) The special election shall be held ~~not less than thirty (30) days~~
15 ~~nor more than one hundred twenty (120) days after the proclamation at the~~
16 next special election date under § 7-11-304.

17
18 SECTION 24. Arkansas Code § 14-48-104(b), concerning special elections
19 after submission of governmental form question to electors, is amended to
20 read as follows:

21 (b) If the number of signatures certified by the clerk is equal to or
22 greater than fifteen percent (15%) of the aggregate number of votes cast, as
23 prescribed, the Secretary of State shall call the election by proclamation ~~in~~
24 accordance with, and an election shall be held under § 7-11-201 et seq. a
25 ~~special election to be held not more than ninety (90) days from the date of~~
26 ~~the clerk's certification.~~

27
28 SECTION 25. Arkansas Code § 14-57-704(a)(2), concerning special
29 elections for the levy of a vehicle tax, is amended to read as follows:

30 (2) ~~This~~ The election shall be held ~~not more than ninety (90)~~
31 ~~days from the date of the publication of the proclamation, at which the~~
32 ~~qualified electors of the city or town shall vote on the question of the levy~~
33 ~~of the tax at the next special election date under § 7-11-304.~~

34
35 SECTION 26. Arkansas Code § 14-61-113(1)(C), concerning special
36 elections called by petition, is amended to read as follows:

1 (C) The special election shall be held ~~not more than sixty~~
2 ~~(60) days at the next special election date under § 7-11-304~~ after the
3 proclamation calling the election, ~~provided that if the county board of~~
4 ~~election commissioners certifies in writing that it cannot prepare the~~
5 ~~ballots because of other pending elections, then the election can be held not~~
6 ~~more than ninety (90) days after the proclamation.~~

7
8 SECTION 27. Arkansas Code § 14-120-102(a), concerning elections in
9 certain combination levee and drainage districts, is amended to read as
10 follows:

11 (a)(1) ~~There shall be held an~~ An election shall be held annually on
12 the Tuesday next after the first Monday in May in all combination levee and
13 drainage districts where the boundaries of the districts embrace all of the
14 lands within the corporate limits of a city of the first class and no lands
15 situated more than three (3) miles from the corporate limits, for the
16 election of one (1) member of the board of improvement.

17 (2) The judges of the election ~~are to~~ shall be appointed by the
18 county board of election commissioners.

19
20 SECTION 28. Arkansas Code § 14-122-104 is amended to read as follows:

21 14-122-104. Filing referendum petitions – Special election.

22 If petitions signed by not less than fifteen percent (15%) of the
23 qualified electors voting on the office of mayor in the city at the last
24 preceding general election are filed with the city clerk of the city within
25 forty-five (45) days after the enactment of the ordinance creating the
26 municipal drainage improvement district requesting that the ordinance be
27 referred to a vote of the qualified electors of the district, the petitions
28 shall be referred to the people at a special election to be called by the
29 mayor of the municipality in accordance with § 7-11-201 et seq. to be held
30 ~~not more than ninety (90) days after the proclamation~~ at the next special
31 election date under § 7-11-304.

32
33 SECTION 29. Arkansas Code § 14-201-316(a), concerning election of
34 members of the board of public utilities, is amended to read as follows:

35 (a) In all cities and towns where a board of public utilities shall be
36 created under the provisions of this subchapter, there shall be held, ~~on a~~

1 ~~day to be designated by the county board of election commissioners not less~~
2 ~~than thirty (30) days nor more than sixty (60) days at the next special~~
3 ~~election date under § 7-11-304~~ before the expiration of the term of office of
4 any member of the board of public utilities, an election for the purpose of
5 electing a member of the board to succeed the outgoing member.

6
7 SECTION 30. Arkansas Code § 14-284-212(g)(2)(B), concerning elections
8 to approve increased assessments in fire protection districts outside of
9 cities and towns, is amended to read as follows:

10 (B) The election called by the elected board of commissioners for
11 an increase in the flat fee assessment shall be held ~~within ninety (90) days~~
12 at the next special election date under § 7-11-304 after the board of
13 commissioners' meeting that approves the assessment increase.

14
15 SECTION 31. Arkansas Code § 14-286-103(a), concerning special
16 elections on the question of the establishment and financing of a red
17 imported fire ant abatement district, is amended to read as follows:

18 (a) The special election called by the county court to submit the
19 question of the establishment and financing of a red imported fire ant
20 abatement district to the electors of the proposed district shall be held in
21 accordance with § 7-11-201 et seq. ~~no later than ninety (90) days after the~~
22 ~~proclamation of the election and at the next special election date under § 7-~~
23 11-304.

24
25 SECTION 32. Arkansas Code § 14-386-403(a), concerning elections on
26 enclosures in fencing districts, is amended to read as follows:

27 (a) The county court shall in the same publication prescribed by § 14-
28 386-402 give notice of and cause an election to be held ~~within thirty (30)~~
29 ~~days of the date of~~ on the next special election date under § 7-11-304 the
30 filing of the petition, in the townships or parts of townships included in
31 the petition, where the question of the creation of the proposed fencing
32 district shall be submitted to the qualified electors living or owning land
33 in the proposed district.

34
35 SECTION 33. Arkansas Code § 15-43-204(a)(1), concerning local
36 elections to redetermine doe killing areas, is amended to read as follows:

1 (a)(1) Whenever fifty (50) or more qualified electors residing within
2 an area wholly or partly located within their particular county that has been
3 designated by regulation of the Arkansas State Game and Fish Commission as a
4 doe-killing area petition the appropriate county court, praying that an
5 election be held to determine whether or not such an area or portion thereof
6 should remain a doe-killing area, the county court shall order a special
7 election in accordance with § 7-11-201 et seq. to be held ~~not more than~~
8 ~~ninety (90) days after the date of filing of the petition~~ at the next special
9 election date under § 7-11-304.

10
11 SECTION 34. Arkansas Code § 23-111-306(b)(1), concerning referendum
12 elections on continuing greyhound racing, is amended to read as follows:

13 (b)(1) The date of the special election shall be fixed by the board ~~on~~
14 ~~a day not more than ninety (90) days following the date of filing the~~
15 ~~petitions~~ under § 7-11-304. The deposit of the funds as provided in
16 subsection (a) of this section and the election shall be conducted and shall
17 be subject to contest under the general election laws of this state.

18
19 SECTION 35. Arkansas Code § 23-113-201(a)(2)(E), concerning elections
20 to conduct wagering on electronic games of skill, is amended to read as
21 follows:

22 (E) The election shall be held ~~no earlier than thirty-one~~
23 ~~(31) calendar days, and no later than one hundred twenty (120) calendar days,~~
24 ~~after the effective date of the ordinance in which the election is called by~~
25 ~~the governing body~~ at the next special election date after the ordinance is
26 filed under § 7-11-304.

27
28 SECTION 36. EFFECTIVE DATE. This act is effective on and after
29 January 1, 2017.

30
31 /s/Bell
32
33
34
35
36