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2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S3/17/21

A Bill

SENATE BILL 496

5 By: Senator Rapert
6 By: Representative Hawks
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS ELECTION LAW; TO AMEND THE
10 LAW CONCERNING SPECIAL ELECTIONS; TO ESTABLISH
11 UNIFORM DATES FOR HOLDING SPECIAL ELECTIONS; AND FOR
12 OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND ARKANSAS ELECTION LAW; TO AMEND
16 THE LAW CONCERNING SPECIAL ELECTIONS; AND
17 TO ESTABLISH UNIFORM DATES FOR HOLDING
18 SPECIAL ELECTIONS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 6-14-102(a)(1)(A)(ii)(a) and (b),
25 concerning the annual school election date and special school elections, are
26 amended to read as follows:

27 (a) ~~First~~ Second Tuesday ~~following the first~~
28 ~~Monday~~ in November; or

29 (b) ~~Third~~ Second Tuesday in May.
30

31 SECTION 2. Arkansas Code § 6-14-102(b), concerning the annual school
32 election date and special school elections, is amended to read as follows:

33 (b) The board of directors of any school district shall have the
34 authority to hold a special school election concerning the tax rate or debt
35 issues ~~on a date other than that fixed by law under § 7-11-205~~ provided that:

36 (1) All constitutional and statutory requirements for the annual



1 school election are met, notwithstanding subsection (a) of this section;

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

4 ~~(3) The Commissioner of Elementary and Secondary Education~~
5 ~~approves the date of the election; and~~

6 (3) The board of directors of a school district files a document
7 calling for the special school election with the district's domiciled county
8 clerk not less than seventy (70) days before the date of the special school
9 election.

10

11 SECTION 3. Arkansas Code § 6-14-111(k), concerning candidate filing
12 procedures, is amended to read as follows:

13 (k) The order in which the names of the respective candidates are to
14 appear on the ballot shall be determined by lot at the public meeting of the
15 county board of election commissioners held not later than ~~seventy-two (72)~~
16 ~~days before the annual school election;~~

17 (1) The deadline to conduct the ballot draw for the preferential
18 primary or general election for an annual school election held in even-
19 numbered years;

20 (2) The seventh day of March for an annual school election held
21 on the second Tuesday in May of an odd-numbered year; and

22 (3) Seventy-two (72) days before an annual school election held
23 on the second Tuesday of November of an odd-numbered year.

24

25 SECTION 4. Arkansas Code § 6-14-122(b), concerning the consolidation,
26 annexation, or merger of school districts, is amended to read as follows:

27 (b) The boards of directors of the school districts may, by resolution
28 duly adopted and with the approval of the Commissioner of Elementary and
29 Secondary Education, set a date for the annual school election in that year
30 for the school districts involved on a date ~~other than the date set in § 6-~~
31 ~~14-102 for all school districts under § 7-11-205~~, provided only one (1)
32 annual school election may be held in any school district in one (1) calendar
33 year.

34

35 SECTION 5. Arkansas Code § 6-53-602(b)(2), concerning the formation of
36 a proposed technical college district, is amended to read as follows:

1 (2)(A) The local board or acting local board shall issue a
 2 proclamation and set a date for the election under § 7-11-201 et seq., ~~but~~
 3 ~~the date set for the election shall not be later than ninety (90) days after~~
 4 ~~the publication of the proclamation~~

5 (B) The local board or acting local board shall publish
 6 the proclamation at least ninety (90) days before the election date.

7
 8 SECTION 6. Arkansas Code § 6-53-603(a)(2), concerning a tax levy for a
 9 technical college district, is amended to read as follows:

10 (2) ~~It~~ A tax levy may be reduced or repealed, with the exception
 11 of the amount of tax required to service ~~any~~ an outstanding ~~bonds~~ bond, or
 12 the tax may be increased upon approval thereof by a majority of the qualified
 13 electors of the district voting on the issue at ~~an~~ the next election called
 14 by the local board or acting local board ~~to be held at least thirty (30)~~
 15 ~~calendar days after the local board or acting local board notifies the county~~
 16 ~~boards of election commissioners~~ under § 7-11-205.

17
 18 SECTION 7. Arkansas Code § 6-53-604(b), concerning the dissolution of
 19 a technical college district and reduction of millage tax, is amended to read
 20 as follows:

21 (b) ~~The petitions shall be filed with the~~ The Secretary of State, ~~who,~~
 22 within ten (10) days of the receipt and verification ~~by the Secretary of~~
 23 ~~State~~ of the sufficiency of the ~~petitions~~ petition, shall notify the county
 24 ~~boards~~ board of election commissioners in each county in the district that an
 25 election ~~shall~~ is to be held ~~at a time not less than thirty (30) days nor~~
 26 ~~more than one hundred eighty (180) days from the date of notification on the~~
 27 next special election date under § 7-11-205.

28
 29 SECTION 8. Arkansas Code § 7-11-105 is amended to read as follows:
 30 7-11-105. Special elections to be held on the second Tuesday of a
 31 month – Exceptions – Separate ballots.

32 (a)(1) Except as provided in this chapter, all special elections to
 33 fill vacancies in office and associated special primary elections shall be
 34 held on the second Tuesday of ~~any month~~:

35 (A) March, May, August, or November in a year when a
 36 presidential election is held; and

1 (B) February, May, August, or November of all other years.

2 (2) Elections called by proclamation of the Governor may be
3 called in any month.

4 (b) A special election scheduled to occur in a month in which the
5 second Tuesday of the month is a legal holiday shall be held on the third
6 Tuesday of the month.

7 (c)(1) Special elections held in months in which a preferential
8 primary election, ~~general primary election~~, or general election is scheduled
9 to occur shall be held on the date of the ~~general primary election~~,
10 preferential primary election, or general election.

11 (2) If a special election to fill a vacancy in office is held on
12 the date of the preferential primary election ~~or general primary election~~,
13 the names of the candidates in the special election shall be included on the
14 ballot of each political party, and the portion of the ballot on which the
15 special election appears shall be labeled with a heading stating "SPECIAL
16 ELECTION FOR _____" with the name of the office set out in
17 the heading.

18 (3) Separate ballots containing the names of the candidates to
19 be voted on at the special election or nonpartisan election and any other
20 measures or questions that may be presented for a vote shall be prepared and
21 made available to voters requesting a separate ballot.

22 (4)(A) A voter shall not be required to vote in a political
23 party's preferential primary election ~~or general primary election~~ in order to
24 be able to vote in the special election.

25 (B)(i) If the special election is held at the same time as
26 the general election, the names of the candidates in the special election
27 shall be included on the general election ballot, and the portion of the
28 ballot on which the special election appears shall be labeled with a heading
29 stating "SPECIAL ELECTION FOR _____" with the name of the office
30 set out in the heading.

31 (ii) The county board of election commissioners may
32 include the special election on a separate ballot if the special election is
33 held at the same time as the general election and the county board of
34 election commissioners determines that a separate ballot is necessary to
35 avoid voter confusion.

36 (d)~~(1)~~ A special election to fill a vacancy in office shall be held

1 not less than seventy (70) days following the date established in the
2 proclamation, ordinance, resolution, order, or other authorized document for
3 drawing for a ballot position ~~when the special election is to be held on the~~
4 ~~date of the preferential primary election, general primary election, or~~
5 ~~general election.~~

6 ~~(2) If a special election to fill a vacancy in office is not~~
7 ~~held at the same time as a preferential primary election, general primary~~
8 ~~election, or general election, the special election shall be held not less~~
9 ~~than sixty (60) days following the date established in the proclamation,~~
10 ~~ordinance, resolution, order, or other authorized document for drawing for~~
11 ~~ballot position.~~

12
13 SECTION 9. Arkansas Code § 7-11-201 is amended to read as follows:

14 7-11-201. Calling special elections on measures or questions.

15 ~~Except for special school elections, all~~ All special elections on
16 measures or questions referred to the voters by governmental entities as
17 authorized by law shall be called by proclamation, ordinance, statute,
18 resolution, order, or other authorized document of the properly constituted
19 authority as required by law.

20
21 SECTION 10. Arkansas Code § 7-11-205 is amended to read as follows:

22 7-11-205. Dates of special elections on measures and questions -
23 Exceptions - Separate ballots.

24 (a)(1)~~(A)~~ Except as provided in subdivision ~~(a)(1)(B)~~(a)(2) of this
25 section, all special elections on measures or questions referred to the
26 voters by governmental entities as authorized by law shall be held on the
27 second Tuesday of ~~any month, except special elections held under this section~~
28 ~~in a month in which a preferential primary election, general primary~~
29 ~~election, or general election is scheduled to occur, which shall be held on~~
30 ~~the date of the preferential primary election, general primary election, or~~
31 ~~general election;~~

32 (A) March, May, August, or November in a year when a
33 presidential election is held; and

34 (B) February, May, August, or November of all other years.

35 ~~(B)(2)(A)~~ Special elections scheduled to occur in a month
36 in which the second Tuesday is a legal holiday shall be held on the third

1 Tuesday of the month.

2 (B) Special elections held in months in which a
3 preferential primary election or general election is scheduled to occur shall
4 be held on the date of the preferential primary election or general election.

5 (C) A special election on a measure or question may be
6 scheduled on the second Tuesday of a month, other than the months provided in
7 subdivision (a)(1) of this section, if necessary to comply with the
8 requirements of Arkansas Constitution, Article 5 § 1.

9 (D) An emergency special election may be held on the
10 second Tuesday of any month, other than the month following a preferential
11 primary election or general election, when two-thirds (2/3) of all the
12 members elected to the governing entity have determined that:

13 (i) An event has occurred that constitutes a
14 substantial change in circumstances; and

15 (ii) A delay of the emergency special election until
16 the next date under this section, would cause a substantial and undue
17 hardship to the governing entity or a threat to the public peace, health, and
18 safety.

19 (E)(i) A qualified elector for an emergency special
20 election may file an action in the circuit court of the county in which the
21 document calling for the emergency special election is filed to ask the court
22 to determine if circumstances exist that permit the governing entity to call
23 an emergency special election under subdivision (a)(1)(D) of this section.

24 (ii) If the court determines circumstances do not
25 exist that permit the governing entity to call an emergency special election:

26 (a) The emergency special election shall not
27 occur; or

28 (b) If the emergency special election has
29 already occurred, any measure approved in the emergency special election
30 shall be void.

31 (iii) A challenge filed under subdivision
32 (a)(1)(E)(i) of this section may not be filed more than thirty (30) days from
33 the date the document calling for the special election being challenged is
34 filed with the county clerk.

35 ~~(2)(A)(3)(A)~~ If a special election is held on the date of the
36 preferential primary election, the issue or issues to be voted upon at the

1 special election shall be included on the ballot of each political party.

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

6 ~~(3)~~(4) Separate ballots containing the issue or issues to be
7 voted on at the special election and candidates for nonpartisan judicial
8 office shall be prepared and made available to voters requesting a separate
9 ballot.

10 ~~(4)~~(5) A voter shall not be required to vote in a political
11 party's preferential primary in order to be able to vote in the special
12 election.

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

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

23

24 SECTION 11. Arkansas Code § 11-10-1006(a)(2), concerning elections
25 under the Unemployment Trust Fund Financing Act of 2011, is amended to read
26 as follows:

27 (2)(A) An election under this section may be ~~in conjunction with~~
28 ~~a general election, or it may be a special election.~~

29 ~~(B) A special election held under this section shall occur~~
30 ~~on the second Tuesday of any month, except as otherwise provided for in this~~
31 ~~subsection.~~

32 ~~(C) A special election that is held in months in which a~~
33 ~~presidential preferential primary election, preferential primary election,~~
34 ~~general primary election, or general election is scheduled to occur shall be~~
35 ~~held on the date of the presidential preferential primary election,~~
36 ~~preferential primary election, general primary election, or general election~~

1 held on a date under § 7-11-205.

2 ~~(D)(i)~~(B)(i) If a special election is held on the date of
3 the presidential preferential primary election, preferential primary
4 election, or general primary election, the issue or issues to be voted upon
5 at the special election shall be included on the ballot of each political
6 party.

7 (ii) However, separate ballots containing only the
8 issue or issues to be voted upon at the special election shall be prepared
9 and made available to voters requesting a separate ballot.

10 (iii) A voter shall not be required to vote in a
11 political party's presidential preferential primary election, preferential
12 primary election, or general primary election in order to be able to vote in
13 the special election.

14 ~~(E) Special elections scheduled to occur in a month in~~
15 ~~which the second Tuesday is a legal holiday shall be held on the third~~
16 ~~Tuesday of the month.~~

17
18 SECTION 12. Arkansas Code § 14-14-917(a)(2), concerning initiative and
19 referendum elections, is amended to read as follows:

20 (2) Referendum. Referendum petition measures may be submitted
21 to the electors during a regular general election and shall be submitted if
22 the adequacy of the petition is determined within the time limitation
23 prescribed in this section. A referendum measure may also be referred to the
24 electors at a special election called for the expressed purpose proposed by
25 petition. However, no referendum petition certified within the time
26 limitations established for initiative measures shall be referred to a
27 special election, but shall be voted upon at the next regular election. ~~No~~ A
28 referendum election shall be held ~~less than sixty (60) days after the~~
29 ~~certification of adequacy of the petition by the county clerk~~ on a date under
30 § 7-11-205.

31

32 SECTION 13. Arkansas Code § 14-40-303(a)(3), concerning annexation
33 ordinance elections and procedures, is amended to read as follows:

34 (3) Fix the date for the annexation election under this section
35 at the next special election date under § 7-11-205 after the ordinance is
36 filed; and

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SECTION 14. Arkansas Code § 14-47-140(d), concerning the powers and duties of mayors, is amended to read as follows:

(d) The special election shall be held ~~not less than thirty (30) days nor more than one hundred twenty (120) days after the proclamation at the~~ next special election date under § 7-11-205 after the ordinance is filed.

SECTION 15. Arkansas Code § 14-48-104(b), concerning the submission of a governmental form question to electors, is amended to read as follows:

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

SECTION 16. Arkansas Code § 14-48-109(a)(1)(B)(i), concerning the election of directors and mayor, is amended to read as follows:

(B)(i) Special elections to fill any vacancy under § 14-48-115 shall be called through a resolution of the board and shall be held on the next special election date under § 7-5-105.

SECTION 17. Arkansas Code § 14-48-114(b)(3), concerning the removal of mayors or directors, is amended to read as follows:

(3) The county board of election commissioners shall issue a proclamation in accordance with § 7-11-201 et seq., calling a special election on the question and shall fix a date for holding ~~it not more than ninety (90) days from~~ the special election on the next special election date under § 7-11-205 after the date of the certification of the petitions by the clerk;

SECTION 18. Arkansas Code § 14-57-704(a)(2), concerning the requirement for a special election for a vehicle tax, is amended to read as follows:

(2) This election shall be held ~~not more than ninety (90) days from the date of the publication of the proclamation, at which the qualified~~

1 ~~electors of the city or town shall vote on the question of the levy of the~~
2 ~~tax at the next special election date under § 7-11-205.~~

3
4 SECTION 19. Arkansas Code § 14-61-113(1)(C), concerning the petition
5 process for special elections, is amended to read as follows:

6 (C) The special election shall be held ~~not more than sixty~~
7 ~~(60) days at the next special election date under § 7-11-205~~ after the
8 proclamation calling the election, ~~provided that if the county board of~~
9 ~~election commissioners certifies in writing that it cannot prepare the~~
10 ~~ballots because of other pending elections, then the election can be held not~~
11 ~~more than ninety (90) days after the proclamation;~~

12
13 SECTION 20. Arkansas Code § 14-122-104 is amended to read as follows:

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

15 If petitions signed by not less than fifteen percent (15%) of the
16 qualified electors voting on the office of mayor in the city at the last
17 preceding general election are filed with the city clerk of the city within
18 forty-five (45) days after the enactment of the ordinance creating the
19 municipal drainage improvement district requesting that the ordinance be
20 referred to a vote of the qualified electors of the district, the petitions
21 shall be referred to the people at a special election to be called by the
22 mayor of the municipality in accordance with § 7-11-201 et seq. to be held
23 ~~not more than ninety (90) days after the proclamation~~ at the next special
24 election date under § 7-11-205.

25
26 SECTION 21. Arkansas Code § 14-201-316(a), concerning the election of
27 succeeding members, term, conduct of election, and notice for a board of
28 public utilities, is amended to read as follows:

29 (a) In all cities and towns where a board of public utilities ~~shall be~~
30 is created under the provisions of this subchapter, there shall be held, ~~on a~~
31 ~~day to be designated by the county board of election commissioners not less~~
32 ~~than thirty (30) days nor more than sixty (60) days~~ at the next special
33 election date under § 7-11-105 before the expiration of the term of office of
34 any member of the board of public utilities, an election for the purpose of
35 electing a member of the board to succeed the outgoing member.

36

1 SECTION 22. Arkansas Code § 14-286-103(a), concerning the elections
2 and ballots of a red imported fire ant abatement district, is amended to read
3 as follows:

4 (a) The special election called by the county court to submit the
5 question of the establishment and financing of a red imported fire ant
6 abatement district to the electors of the proposed district shall be held in
7 accordance with § 7-11-201 et seq. ~~no later than ninety (90) days after the~~
8 ~~proclamation of the election~~ at the next special election date under § 7-11-
9 205.

10
11 SECTION 23. Arkansas Code § 15-43-204(a)(1), concerning local
12 elections to redetermine a doe-killing area, is amended to read as follows:

13 (a)(1) Whenever fifty (50) or more qualified electors residing within
14 an area wholly or partly located within their particular county that has been
15 designated by regulation of the Arkansas State Game and Fish Commission as a
16 doe-killing area petition the appropriate county court, praying that an
17 election be held to determine whether or not such an area or portion thereof
18 should remain a doe-killing area, the county court shall order a special
19 election in accordance with § 7-11-201 et seq. to be held ~~not more than~~
20 ~~ninety (90) days after the date of filing of the petition~~ at the next special
21 election date under § 7-11-205.

22
23 SECTION 24. Arkansas Code § 23-111-306(b)(1), concerning subsequent
24 referendum elections for continuing greyhound racing in the county, is
25 amended to read as follows:

26 (b)(1) The date of the special election shall be fixed ~~by the board on~~
27 ~~a day not more than ninety (90) days following the date of filing the~~
28 ~~petitions~~ at the next special election date under § 7-11-205. The deposit of
29 the funds as provided in subsection (a) of this section and the election
30 shall be conducted and shall be subject to contest under the general election
31 laws of this state.

32
33 SECTION 25. Arkansas Code § 23-113-201(a)(2)(E), concerning wagering
34 on electronic games of skill conducted by franchise holders and limitations
35 on that wagering, is amended to read as follows:

36 (E) The election shall be held ~~no earlier than thirty-one~~

1 ~~(31) calendar days, and no later than one hundred twenty (120) calendar days,~~
2 ~~after the effective date of the ordinance in which the election is called by~~
3 ~~the governing body at the next special election date under § 7-11-205.~~

4
5 SECTION 26. Arkansas Code § 26-52-605(b) and (c), concerning special
6 election proceedings for an Arkansas border city or town, are amended to read
7 as follows:

8 (b) The special election shall be called ~~not later than one hundred~~
9 ~~twenty (120) days~~ for the next special election date under § 7-11-205
10 following the adoption of the ordinance by the governing body of the city or
11 town, or the filing of a petition requesting the special election.

12 (c) Notice of the special election shall be given ~~by publication in~~
13 ~~some newspaper of general circulation within the Arkansas border city or town~~
14 ~~on two (2) occasions not more than thirty (30) days and not less than ten~~
15 ~~(10) days prior to the date of the special election~~ under § 7-5-202.

16
17 SECTION 27. Arkansas Code § 26-52-605(f), concerning special election
18 proceedings for an Arkansas border city or town, is repealed.

19 ~~(f) The voter shall cast the vote of his or her choice by placing an~~
20 ~~“X” opposite the issue of his or her choice.~~

21
22 SECTION 28. Arkansas Code § 26-73-111(c), concerning special local
23 sales and use tax elections, is amended to read as follows:

24 (c) The special election shall be called for ~~a date not later than one~~
25 ~~hundred twenty (120) days from the date of the action of the governing body~~
26 ~~in establishing the date of the special election~~ the next special election
27 date under § 7-11-205.

28
29 SECTION 29. Arkansas Code § 26-74-207(a)(2), concerning the call for a
30 tax election, is amended to read as follows:

31 (2) The election shall be held ~~within one hundred twenty (120)~~
32 ~~days of the ordinance calling the election~~ on the next special election date
33 under § 7-11-205.

34
35 SECTION 30. Arkansas Code § 26-74-307(a)(2), concerning the call for a
36 tax election, is amended to read as follows:

1 (2) The election shall be held ~~within one hundred twenty (120)~~
2 ~~days of the ordinance calling for the election~~ on the next special election
3 date under § 7-11-205.

4
5 SECTION 31. Arkansas Code § 26-74-402(a), concerning the call for a
6 tax election, is amended to read as follows:

7 (a) The county quorum court of any county not having a countywide one
8 percent (1%) sales and use tax on March 14, 1991, may call an election for
9 the levy of a ~~one-half~~ five-tenths percent (0.5%) countywide sales and use
10 tax for any purpose for which the county general fund or county road fund may
11 be used including allocating portions of this tax to the municipalities
12 located therein. The election shall be held ~~within one hundred twenty (120)~~
13 ~~days of the ordinance calling the election~~ on the next special election date
14 under § 7-11-205.

15
16 SECTION 32. Arkansas Code § 26-74-502(a), concerning petitions
17 requesting an election, is amended to read as follows:

18 (a) If petitions are filed requesting an election for an initiated
19 ordinance levying the tax authorized under this subchapter, the quorum court
20 shall submit the question of the levying of the tax to the electors. The
21 petitions must be signed by not less than five hundred (500) electors of the
22 county. The election shall be held ~~within one hundred twenty (120) days of~~ on
23 the next special election date under § 7-11-205 after the filing of the
24 petitions. The tax shall be levied upon approval of a majority of the
25 qualified electors voting on the issue at the election.

26
27 SECTION 33. Arkansas Code § 26-75-208(a)(2), concerning the
28 requirement for a special election for levying a local sales and use tax, is
29 amended to read as follows:

30 (2) The special election shall be called ~~for a date no later~~
31 ~~than one hundred twenty (120) days from the date of action of the governing~~
32 ~~body in establishing the date of the special election~~ on the next special
33 election date under § 7-11-205.

34
35 SECTION 34. Arkansas Code § 26-75-213(a)(3)(B), concerning the
36 resubmission of a question of levy or repeal of a city sales and use tax, is

1 amended to read as follows:

2 (B) If the petition is found to be sufficient, the
3 question shall be submitted to the electors ~~at a special election on a date~~
4 ~~as may be requested by the petition~~ on the next special election date under §
5 7-11-205 after certification of the sufficiency of the petition to the
6 governing body of the city.

7
8 SECTION 35. Arkansas Code § 26-75-213(a)(4), concerning the
9 resubmission of a question of levy or repeal of a city sales and use tax, is
10 amended to read as follows:

11 (4) The special election shall be called in accordance with § 7-
12 11-201 et seq. ~~for a date not more than ninety (90) days from the date on~~
13 ~~which the city clerk certifies the sufficiency of the petition to the~~
14 ~~governing body of the city.~~

15
16 SECTION 36. Arkansas Code § 26-75-308(a)(2), concerning a special
17 election to approve a local sales and use tax, is amended to read as follows:

18 (2) The special election shall be called for ~~a date no later~~
19 ~~than one hundred twenty (120) days from the date of action of the governing~~
20 ~~body in establishing the date of special election~~ the next special election
21 date under § 7-11-205.

22
23 SECTION 37. Arkansas Code § 26-75-404(a)(2), concerning election
24 requirements and procedure for a local sales and use tax, is amended to read
25 as follows:

26 (2) If the ordinance provides for submitting the question at a
27 special election, the election shall be called in accordance with § 7-11-201
28 et seq. ~~for a date not more than ninety (90) days from the date of the~~
29 ~~adoption of the ordinance calling the special election~~ the next special
30 election date under § 7-11-205.

31
32 SECTION 38. Arkansas Code § 26-75-503(b), concerning election
33 requirements for a city of the first class or a city of the second class
34 levying a tax, is amended to read as follows:

35 (b) An election shall be held in the levying city on the question of
36 whether the ordinance shall become effective ~~within sixty (60) days after the~~

1 ~~receipt of a certified copy of the ordinance~~ on the next special election
2 date under § 7-11-205 and shall be conducted in the manner prescribed by law
3 for holding state, county, or municipal elections, so far as the manner may
4 be applicable.

5
6 SECTION 39. Arkansas Code § 26-78-103(b)(1), concerning the procedure
7 for levying a County and Municipality Vehicle Tax, is amended to read as
8 follows:

9 (b)(1) Notwithstanding other provisions of this chapter, before the
10 tax levied by any county quorum court upon owners residing everywhere in the
11 county or only upon owners residing within the county but outside the
12 corporate boundaries of all municipalities in the county may be collected,
13 the county court shall call a special election in accordance with § 7-11-201
14 et seq. upon the first levy of the tax by the county quorum court, to be held
15 ~~not more than ninety (90) days from the date of the adoption of the levy of~~
16 ~~the tax by the quorum court~~ on the next special election date under § 7-11-
17 205, at which election the qualified electors of the area to be affected by
18 the tax shall vote on the question of the levy of the tax.

19
20 SECTION 40. Arkansas Code § 26-78-111(c), concerning the requirement
21 for an election on the question of issuing revenue bonds, is amended to read
22 as follows:

23 (c) The ordinance or order shall specifically state the purpose for
24 which the bonds are to be issued, the total amount of the issue, and the date
25 upon which the election is to be held, which date shall ~~not occur earlier~~
26 ~~than thirty (30) days after the passage of the ordinance or the entering of~~
27 ~~the order~~ be on the next special election date under § 7-11-205.

28
29 SECTION 41. EFFECTIVE DATE. This act is effective on January 1,
30 2022.

31
32
33 /s/Rapert
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36