

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4
5 By: Senator M. Johnson

A Bill

SENATE BILL 453

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING SPECIAL
9 ELECTIONS; TO AMEND THE DATES FOR CERTAIN SPECIAL
10 ELECTIONS; AND FOR OTHER PURPOSES.

Subtitle

14 TO AMEND ARKANSAS LAW CONCERNING SPECIAL
15 ELECTIONS; AND TO AMEND THE DATES FOR
16 CERTAIN SPECIAL ELECTIONS.

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

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

24 (b)(1) ~~Immediately upon the submission of~~ If the petition ~~to the~~
25 ~~county court or courts~~ is submitted under subdivision (a)(1) of this section,
26 the court or courts shall issue a proclamation calling the election ~~in~~
27 ~~accordance with~~ under § 7-11-201 et seq. and notify the county board or
28 boards of election commissioners in writing. The election shall be held on a
29 date ~~in accordance with § 7-11-201 et seq. but in no event more than ninety~~
30 ~~(90) days following publication of the proclamation~~ under § 7-11-304.

32 SECTION 2. Arkansas Code § 6-14-102(b), concerning school millage
33 elections, is amended to read as follows:

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



1 if:

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

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

6 ~~(3)~~ The Commissioner of Elementary and Secondary Education
7 approves the date of the election.

8

9 SECTION 3. Arkansas Code § 6-14-122(b), concerning dates for elections
10 regarding the consolidation, annexation, or merger of school districts, is
11 amended to read as follows:

12 (b) The boards of directors of the school districts may, by resolution
13 duly adopted and with the approval of the Commissioner of Elementary and
14 Secondary Education, set a date for the annual school election in that year
15 for the school districts involved on a date ~~other than the date set in § 6-~~
16 ~~14-102 for all school districts~~ under § 7-11-304, provided only one (1)
17 annual school election may be held in any school district in ~~one (1)~~ a
18 calendar year.

19

20 SECTION 4. Arkansas Code § 6-53-602(b)(2), concerning publication of
21 proclamation by a community college, is amended to read as follows:

22 (2)(A) The local board or acting local board shall issue a
23 proclamation and set a date for the election under § 7-11-201 et seq., ~~but~~
24 ~~the date set for the election shall not be later than~~

25 (B) The local board or acting local board shall publish
26 the proclamation at least ninety (90) days after the publication of the
27 proclamation before the election date.

28

29 SECTION 5. Arkansas Code § 6-53-603(a)(2), concerning the date of
30 election for a tax levy called, is amended to read as follows:

31 (2) ~~It~~ The tax may be reduced or repealed, with the exception of the
32 amount of tax required to service ~~any~~ an outstanding ~~bonds~~ bond, or the tax
33 may be increased upon approval ~~thereof~~ by a majority of the qualified
34 electors of the district voting on the issue at ~~an~~ the next election called
35 by the local board or acting local board to be held ~~at least thirty (30)~~
36 ~~calendar days after the local board or acting local board notifies the county~~

1 ~~boards of election commissioners under § 7-11-304.~~

2
 3 SECTION 6. Arkansas Code § 6-53-604(b), concerning dissolution of a
 4 technical college district, is amended to read as follows:

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

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

13
 14 SECTION 7. Arkansas Code § 7-1-101(16), concerning the definition of
 15 "general or special election", is amended to read as follows:

16 (16) "General or special election" means the regular biennial or
 17 annual election for election of United States, state, district, county,
 18 township, and municipal officials and the special elections to fill
 19 vacancies therein and special elections to approve any measure. ~~The term as~~
 20 ~~used in this act shall not apply to school elections for officials of school~~
 21 ~~districts;~~

22
 23 SECTION 8. 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 on measures or questions~~ A special election on a
 28 measure or a question shall be held ~~on the second Tuesday of any month,~~
 29 ~~except special elections held under this section in a month in which a~~
 30 ~~preferential primary election, general primary election, or general election~~
 31 ~~is scheduled to occur, which shall be held on the date of the preferential~~
 32 ~~primary election, general primary election, or general election~~ under § 7-11-
 33 304.

34 ~~(B) Special elections scheduled to occur in a month in~~
 35 ~~which the second Tuesday is a legal holiday shall be held on the third~~
 36 ~~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 a brief description of the measure or question to be
7 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 9. Arkansas Code Title 7, Chapter 11, Subchapter 3, is amended
27 to add an additional section to read as follows:

28 7-11-304. Dates of special elections – Emergency special election.

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

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

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

34 (b) If a special election is called in a year in which a preferential
35 primary election or general election is held, the special election shall be
36 held with the preferential primary election or general election.

1 (c) If a special election is called in a year in which a preferential
 2 primary election or general election is not held, the special election shall
 3 be held on the third Tuesday in May or the Tuesday next after the first
 4 Monday in November.

5 (d) This section does not apply to special elections to fill vacancies
 6 in office, special runoff elections, local option elections, or special
 7 elections otherwise provided for by the Arkansas Constitution.

8 (e)(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.

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

11 (A) A substantial change in:

12 (i) The interpretation of the law by the federal or
 13 state courts which if not addressed by an election will render the governing
 14 entity incapable of performing its lawful duties and obligations;

15 (ii) Circumstances due to a fire, flood, tornado, or
 16 other natural disaster which if not addressed by an election will render the
 17 governing entity financially incapable of performing its lawful duties and
 18 obligations; or

19 (iii) Circumstances determined by the governing body
 20 of the entity requesting the election to be an imminent danger to public
 21 health and safety; and

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

25 (3) An emergency special election held under this subsection
 26 shall require a vote of two-thirds (2/3) of the entire vote cast in the
 27 election to approve a candidate or measure.

28
 29 SECTION 10. Arkansas Code § 11-10-1006(a)(2), concerning elections on
 30 the issuance of Arkansas Unemployment Trust Fund Bonds, is amended to read as
 31 follows:

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

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

1 ~~(C) A special election that is held in months in which a~~
 2 ~~presidential preferential primary election, preferential primary election,~~
 3 ~~general primary election, or general election is scheduled to occur shall be~~
 4 ~~held on the date of the presidential preferential primary election,~~
 5 ~~preferential primary election, general primary election, or general election,~~
 6 held on a date under § 7-11-304.

7 ~~(D)(i)(B)(i)~~ If a special election is held on the date of
 8 the presidential preferential primary election, preferential primary
 9 election, or general primary election, the issue or issues to be voted upon
 10 at the special election shall be included on the ballot of each political
 11 party.

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

15 (iii) A voter shall not be required to vote in a
 16 political party's presidential preferential primary election, preferential
 17 primary election, or general primary election in order to be able to vote in
 18 the special election.

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

22
 23 SECTION 11. Arkansas Code § 14-14-917(a)(2), concerning special
 24 elections for referendum petition measures, is amended to read as follows:

25 (2) Referendum. Referendum petition measures may be submitted
 26 to the electors during a regular general election and shall be submitted if
 27 the adequacy of the petition is determined within the time limitation
 28 prescribed in this section. A referendum measure may also be referred to the
 29 electors at a special election called for the expressed purpose proposed by
 30 petition. However, no referendum petition certified within the time
 31 limitations established for initiative measures shall be referred to a
 32 special election, but shall be voted upon at the next regular election. ~~No~~ A
 33 referendum election shall be held ~~less than sixty (60) days after the~~
 34 ~~certification of adequacy of the petition by the county clerk~~ on a date under
 35 § 7-11-304.

1 SECTION 12. Arkansas Code § 14-20-108(a)(1)(B)(i)(b), concerning
2 special elections on the issue of the levy of volunteer fire department dues
3 on residences, is amended to read as follows:

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

7 ~~(2) The special election shall be held by~~
8 ~~August 1.~~

9
10 SECTION 13. Arkansas Code § 14-40-303(a)(3), concerning ordinances
11 calling annexation elections, is amended to read as follows:

12 (3) Fix the date for the annexation election under this section
13 at the next special election date under § 7-11-304 after the ordinance is
14 filed.

15
16 SECTION 14. Arkansas Code § 14-47-140(d), concerning special elections
17 for mayor, is amended to read as follows:

18 (d) The special election shall be held ~~not less than thirty (30) days~~
19 ~~nor more than one hundred twenty (120) days after the proclamation~~ at the
20 next special election date under § 7-11-304; and

21
22 SECTION 15. Arkansas Code § 14-48-104(b), concerning special elections
23 after submission of a governmental form question to electors, is amended to
24 read as follows:

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

31
32 SECTION 16. Arkansas Code § 14-48-114(b)(3), concerning removal of
33 mayors or directors in city administrator cities, is amended to read as
34 follows:

35 (3) The county board of election commissioners shall issue a
36 proclamation in accordance with § 7-11-201 et seq., calling a special

1 election on the question and shall fix a date for holding it ~~not more than~~
2 ~~ninety (90) days from~~ on the next special election date under § 7-11-304
3 after the date of the certification of the petitions by the clerk;

4
5 SECTION 17. Arkansas Code § 14-57-704(a)(2), concerning special
6 elections for the levy of a vehicle tax, is amended to read as follows:

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

11
12 SECTION 18. Arkansas Code § 14-61-113(1)(C), concerning special
13 elections called by petition, is amended to read as follows:

14 (C) The special election shall be held ~~not more than sixty~~
15 ~~(60) days~~ at the next special election date under § 7-11-304 after the
16 proclamation calling the election, ~~provided that if the county board of~~
17 ~~election commissioners certifies in writing that it cannot prepare the~~
18 ~~ballots because of other pending elections, then the election can be held not~~
19 ~~more than ninety (90) days after the proclamation;~~

20
21 SECTION 19. Arkansas Code § 14-120-102(a), concerning elections in
22 certain combination levee and drainage districts, is amended to read as
23 follows:

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

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

32
33 SECTION 20. Arkansas Code § 14-122-104 is amended to read as follows:
34 14-122-104. Filing referendum petitions – Special election.

35 If petitions signed by not less than fifteen percent (15%) of the
36 qualified electors voting on the office of mayor in the city at the last

1 preceding general election are filed with the city clerk of the city within
2 forty-five (45) days after the enactment of the ordinance creating the
3 municipal drainage improvement district requesting that the ordinance be
4 referred to a vote of the qualified electors of the district, the petitions
5 shall be referred to the people at a special election to be called by the
6 mayor of the municipality in accordance with § 7-11-201 et seq. to be held
7 ~~not more than ninety (90) days after the proclamation~~ at the next special
8 election date under § 7-11-304.

9
10 SECTION 21. Arkansas Code § 14-125-302(c)(2)(A), concerning election
11 dates for boards of directors of conservation districts, is amended to read
12 as follows:

13 (A) On the first Tuesday in March 2000, and ~~on the first~~
14 ~~Tuesday in March~~ every third year thereafter on the date the preferential
15 primary is held or, if no preferential primary is held, on the Tuesday next
16 after the first Monday in May, in those districts ~~which~~ that have the
17 greatest amount of district territory in the following counties:

- 18 Boone Little River
- 19 Carroll Logan
- 20 Clark Lonoke
- 21 Clay Poinsett
- 22 Cleburne Polk
- 23 Cleveland Saline
- 24 Columbia Scott
- 25 Conway Searcy
- 26 Crawford St. Francis
- 27 Cross White
- 28 Fulton Woodruff
- 29 Greene Yell
- 30 Jefferson

31
32 SECTION 22. Arkansas Code § 14-201-316(a), concerning the election of
33 members of the boards of public utilities, is amended to read as follows:

34 (a) In all cities and towns where a board of public utilities ~~shall be~~
35 is created under ~~the provisions of~~ this subchapter, there shall be held, ~~on a~~
36 ~~day to be designated by the county board of election commissioners not less~~

1 ~~than thirty (30) days nor more than sixty (60) days~~ at the next special
 2 election date under § 7-11-304 before the expiration of the term of office of
 3 any member of the board of public utilities, an election for the purpose of
 4 electing a member of the board to succeed the outgoing member.

5
 6 SECTION 23. Arkansas Code § 14-284-212(g)(2)(B), concerning elections
 7 to approve increased assessments in fire protection districts outside of
 8 cities and towns, is amended to read as follows:

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

13
 14 SECTION 24. Arkansas Code § 14-286-103(a), concerning special
 15 elections on the question of the establishment and financing of a red
 16 imported fire ant abatement district, is amended to read as follows:

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

23
 24 SECTION 25. Arkansas Code § 14-386-403(a), concerning elections on
 25 enclosures in fencing districts, is amended to read as follows:

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

33
 34 SECTION 26. Arkansas Code § 15-43-204(a)(1), concerning local
 35 elections to redetermine doe-killing areas, is amended to read as follows:

36 (a)(1) Whenever fifty (50) or more qualified electors residing within

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

9
 10 SECTION 27. Arkansas Code § 23-111-306(b)(1), concerning referendum
 11 elections on continuing greyhound racing, is amended to read as follows:

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

17
 18 SECTION 28. Arkansas Code § 23-113-201(a)(2)(E), concerning elections
 19 to conduct wagering on electronic games of skill, is amended to read as
 20 follows:

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

26
 27 SECTION 29. Arkansas Code § 26-52-605(b), concerning special elections
 28 for equalization of taxes for border cities and towns, is amended to read as
 29 follows:

30 (b) The special election shall be called ~~not later than one hundred~~
 31 ~~twenty (120) days~~ for the next special election date under § 7-11-304
 32 following the adoption of the ordinance by the governing body of the city or
 33 town, or the filing of a petition requesting the special election.

34
 35 SECTION 30. Arkansas Code § 26-73-111(c), concerning special local
 36 sales and use tax elections, is amended to read as follows:

1 (c) The special election shall be called for ~~a date not later than one~~
 2 ~~hundred twenty (120) days from the date of the action of the governing body~~
 3 ~~in establishing the date of the~~ next special election date under § 7-11-304.
 4

5 SECTION 31. Arkansas Code § 26-74-207(a)(2), concerning special
 6 elections on sales and use tax for capital improvements, is amended to read
 7 as follows:

8 (2) The election shall be held ~~within one hundred twenty (120)~~
 9 ~~days of the ordinance calling the election~~ on the next special election date
 10 under § 7-11-304.
 11

12 SECTION 32. Arkansas Code § 26-74-307(a)(2), concerning special
 13 elections on sales tax for capital improvements, is amended to read as
 14 follows:

15 (2) The election shall be held ~~within one hundred twenty (120)~~
 16 ~~days of the ordinance calling for the election~~ on the next special election
 17 date under § 7-11-304.
 18

19 SECTION 33. Arkansas Code § 26-74-402(a), concerning special elections
 20 for sales and use tax for counties without an existing tax, is amended to
 21 read as follows:

22 (a) The county quorum court of any county not having a countywide one
 23 percent (1%) sales and use tax on March 14, 1991, may call an election for
 24 the levy of a ~~one-half~~ five-tenths of one percent (0.5%) countywide sales and
 25 use tax for any purpose for which the county general fund or county road fund
 26 may be used including allocating portions of this tax to the municipalities
 27 located therein. The election shall be held ~~within one hundred twenty (120)~~
 28 ~~days of the ordinance calling the election~~ on the next special election date
 29 under § 7-11-304.
 30

31 SECTION 34. Arkansas Code § 26-74-502(a), concerning special elections
 32 for sales and use tax for counties without an existing tax, is amended to
 33 read as follows:

34 (a) If petitions are filed requesting an election for an initiated
 35 ordinance levying the tax authorized under this subchapter, the quorum court
 36 shall submit the question of the levying of the tax to the electors. The

1 petitions must be signed by not less than five hundred (500) electors of the
 2 county. The election shall be held ~~within one hundred twenty (120) days of on~~
 3 the next special election date under § 7-11-304 after the filing of the
 4 petitions. The tax shall be levied upon approval of a majority of the
 5 qualified electors voting on the issue at the election.

6
 7 SECTION 35. Arkansas Code § 26-75-208(a)(2), concerning special
 8 elections on sales and use taxes, is amended to read as follows:

9 (2) The special election shall be called ~~for a date no later~~
 10 ~~than one hundred twenty (120) days from the date of action of the governing~~
 11 ~~body in establishing the date of the special election~~ for the next special
 12 election date under § 7-11-304.

13
 14 SECTION 36. Arkansas Code § 26-75-213(a)(3)(B), concerning municipal
 15 sales and use taxes, is amended to read as follows:

16 (B) If the petition is found to be sufficient, the
 17 question shall be submitted to the electors ~~at a special election on a date~~
 18 ~~as may be requested by the petition~~ the next special election date under § 7-
 19 11-304 after certification of the sufficiency of the petition to the
 20 governing body of the city.

21
 22 SECTION 37. Arkansas Code § 26-75-213(a)(4), concerning municipal
 23 sales and use taxes, is amended to read as follows:

24 (4) The special election shall be called in accordance with § 7-
 25 11-201 et seq. ~~for a date not more than ninety (90) days from the date on~~
 26 ~~which the city clerk certifies the sufficiency of the petition to the~~
 27 ~~governing body of the city.~~

28
 29 SECTION 38. Arkansas Code § 26-75-308(a)(2), concerning municipal
 30 sales and use taxes, is amended to read as follows:

31 (2) The special election shall be called for ~~a date no later~~
 32 ~~than one hundred twenty (120) days from the date of action of the governing~~
 33 ~~body in establishing the date of special election~~ the next special election
 34 date under § 7-11-304.

35
 36 SECTION 39. Arkansas Code § 26-75-404(a)(2), concerning the calling of

1 a special election for a temporary tax for acquisition, construction, or
2 improvement of parks, is amended to read as follows:

3 (2) If the ordinance provides for submitting the question at a
4 special election, the election shall be called in accordance with § 7-11-201
5 et seq. for ~~a date not more than ninety (90) days from the date of the~~
6 ~~adoption of the ordinance calling the special election~~ the next special
7 election date under § 7-11-304.

8

9 SECTION 40. Arkansas Code § 26-75-503(b), concerning special elections
10 on a gross receipts tax, is amended to read as follows:

11 (b) An election shall be held in the levying city on the question of
12 whether the ordinance shall become effective ~~within sixty (60) days after the~~
13 ~~receipt of a certified copy of the ordinance~~ on the next special election
14 date under § 7-11-304 and shall be conducted in the manner prescribed by law
15 for holding state, county, or municipal elections, so far as the manner may
16 be applicable.

17

18 SECTION 41. Arkansas Code § 26-78-103(b)(1), concerning county and
19 municipal motor vehicle tax, is amended to read as follows:

20 (b)(1) Notwithstanding other provisions of this chapter, before the
21 tax levied by any county quorum court upon owners residing everywhere in the
22 county or only upon owners residing within the county but outside the
23 corporate boundaries of all municipalities in the county may be collected,
24 the county court shall call a special election in accordance with § 7-11-201
25 et seq. upon the first levy of the tax by the county quorum court, to be held
26 ~~not more than ninety (90) days from the date of the adoption of the levy of~~
27 ~~the tax by the quorum court~~ on the next special election date under § 7-11-
28 304, at which election the qualified electors of the area to be affected by
29 the tax shall vote on the question of the levy of the tax.

30

31 SECTION 42. Arkansas Code § 26-78-111(c), concerning special elections
32 on a county and municipal motor vehicle tax revenue bond, is amended to read
33 as follows:

34 (c) The ordinance or order shall specifically state the purpose for
35 which the bonds are to be issued, the total amount of the issue, and the date
36 upon which the election is to be held, which date shall ~~not occur earlier~~

1 ~~than thirty (30) days after the passage of the ordinance or the entering of~~
2 ~~the order~~ be on the next special election date under § 7-11-304.

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