

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1620

5 By: Representative Hawks  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE DATES FOR  
9 CERTAIN SPECIAL ELECTIONS; TO AMEND THE LAW  
10 CONCERNING ELECTIONS; TO PROMOTE VOTER TURNOUT; AND  
11 FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 TO AMEND THE LAW CONCERNING THE DATES FOR  
15 CERTAIN SPECIAL ELECTIONS; TO AMEND THE  
16 LAW CONCERNING ELECTIONS; AND TO PROMOTE  
17 VOTER TURNOUT.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

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

26 (b)(1) ~~Immediately upon the submission of~~ If the petition to the  
27 ~~county court or courts is submitted under subdivision (a)(1) of this section,~~  
28 the court or courts shall issue a proclamation calling the election ~~in~~  
29 ~~accordance with~~ under § 7-11-201 et seq. and notify the county board or  
30 boards of election commissioners in writing. The election shall be held on a  
31 date ~~in accordance with § 7-11-201 et seq. but in no event more than ninety~~  
32 ~~(90) days following publication of the proclamation~~ authorized under § 7-11-  
33 304.  
34

35 SECTION 2. Arkansas Code § 6-53-602(b)(2), concerning publication of  
36 proclamations by a community college, 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~~

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

7  
 8           SECTION 3. Arkansas Code § 6-53-603(a)(2), concerning the date of  
 9 election for a tax levy, is amended to read as follows:

10           (2) ~~It~~ The tax may be reduced or repealed, with the exception of the  
 11 amount of tax required to service ~~any~~ an outstanding ~~bonds~~ bond, or the tax  
 12 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 special election  
 14 called by the local board or acting local board to be held ~~at least thirty~~  
 15 ~~(30) calendar days after the local board or acting local board notifies the~~  
 16 ~~county boards of election commissioners~~ under § 7-11-304.

17  
 18           SECTION 4. Arkansas Code § 6-53-604(b), concerning dissolution of a  
 19 technical college district, is amended to read as follows:

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

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

28  
 29           SECTION 5. Arkansas Code § 7-11-205 is amended to read as follows:

30           7-11-205. Dates of special elections on measures and questions –  
 31 Exceptions – Separate ballots.

32           (a)(1)(A) ~~Except as provided in subdivision (a)(1)(B) of this section,~~  
 33 ~~all special elections on measures or questions~~ A special election on a  
 34 measure or a question shall be held ~~on the second Tuesday of any month,~~  
 35 ~~except special elections held under this section in a month in which a~~  
 36 ~~preferential primary election, general primary election, or general election~~

1 ~~is scheduled to occur, which shall be held on the date of the preferential~~  
 2 ~~primary election, general primary election, or general election under § 7-11-~~  
 3 ~~304.~~

4 ~~(B) Special elections scheduled to occur in a month in~~  
 5 ~~which the second Tuesday is a legal holiday shall be held on the third~~  
 6 ~~Tuesday of the month.~~

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

10 ~~(B)(2)~~ The portion of the ballot containing the special  
 11 election shall be labeled with a heading stating "SPECIAL ELECTION ON  
 12 \_\_\_\_\_" with a brief description of the measure or question to be  
 13 decided in the election.

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

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

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

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

31  
 32 SECTION 6. Arkansas Code Title 7, Chapter 11, Subchapter 3, is amended  
 33 to add an additional section to read as follows:

34 7-11-304. Dates of special elections.

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

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

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

4           (b) If a special election is called in a year in which a preferential  
 5 primary election or general election is held, the special election shall be  
 6 held:

7                   (1) With the preferential primary election;

8                   (2) With the general election;

9                   (3) On the second Tuesday in January; or

10                  (4) On the second Tuesday in August.

11           (c) If a special election is called in a year in which a preferential  
 12 primary election or general election is not held, the special election shall  
 13 be held on the:

14                   (1) Second Tuesday in January;

15                   (2) Third Tuesday in May;

16                   (3) Second Tuesday in August; or

17                   (4) Tuesday next after the first Monday in November.

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

21           (e)(1) An emergency special election may be held on a date other than  
 22 the dates specified under subsections (b) and (c) of this section.

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

24                           (A) A substantial change in:

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

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

32                                   (iii) Circumstances determined by the governing body  
 33 of the entity requesting the election to be an imminent danger to public  
 34 health and safety; and

35                   (B) A delay of the special election that, until the next  
 36 date under subsections (b) and (c) of this section, would cause a substantial

1 and undue hardship to the governing entity.

2  
 3 SECTION 7. Arkansas Code § 11-10-1006(a)(2), concerning elections on  
 4 the issuance of Arkansas Unemployment Trust Fund Bonds, is amended to read as  
 5 follows:

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

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

11 ~~(C) A special election that is held in months in which a~~  
 12 ~~presidential preferential primary election, preferential primary election,~~  
 13 ~~general primary election, or general election is scheduled to occur shall be~~  
 14 ~~held on the date of the presidential preferential primary election,~~  
 15 ~~preferential primary election, general primary election, or general election~~  
 16 held on a date authorized under § 7-11-304.

17 ~~(D)(i)(B)(i)~~ If a special election is held on the date of  
 18 the presidential preferential primary election, preferential primary  
 19 election, or general primary election, the issue or issues to be voted upon  
 20 at the special election shall be included on the ballot of each political  
 21 party.

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

25 (iii) A voter shall not be required to vote in a  
 26 political party's presidential preferential primary election, preferential  
 27 primary election, or general primary election in order to be able to vote in  
 28 the special election.

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

32  
 33 SECTION 8. Arkansas Code § 14-14-917(a)(2), concerning special  
 34 elections for referendum petition measures, is amended to read as follows:

35 (2) Referendum. Referendum petition measures may be submitted  
 36 to the electors during a regular general election and shall be submitted if

1 the adequacy of the petition is determined within the time limitation  
 2 prescribed in this section. A referendum measure may also be referred to the  
 3 electors at a special election called for the expressed purpose proposed by  
 4 petition. However, no referendum petition certified within the time  
 5 limitations established for initiative measures shall be referred to a  
 6 special election, but shall be voted upon at the next regular election. ~~No~~ A  
 7 referendum election shall be held ~~less than sixty (60) days after the~~  
 8 ~~certification of adequacy of the petition by the county clerk~~ on a date under  
 9 § 7-11-304.

10  
 11 SECTION 9. Arkansas Code § 14-20-108(a)(1)(B)(i)(b), concerning  
 12 special elections on the issue of the levy of volunteer fire department dues  
 13 on residences, is amended to read as follows:

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

17 ~~(2) The special election shall be held by~~  
 18 ~~August 1.~~

19  
 20 SECTION 10. Arkansas Code § 14-40-303(a)(3), concerning ordinances  
 21 calling annexation elections, is amended to read as follows:

22 (3) Fix the date for the annexation election under this section  
 23 on the next special election date under § 7-11-304 after the ordinance is  
 24 filed; and

25  
 26 SECTION 11. Arkansas Code § 14-47-140(d), concerning special elections  
 27 for mayor, is amended to read as follows:

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

31  
 32 SECTION 12. Arkansas Code § 14-48-104(b), concerning special elections  
 33 after submission of a governmental form question to electors, is amended to  
 34 read as follows:

35 (b) If the number of signatures certified by the clerk is equal to or  
 36 greater than fifteen percent (15%) of the aggregate number of votes cast, as

1 prescribed, the Secretary of State shall call the special election by  
2 proclamation ~~in accordance with,~~ and a special election shall be held under §  
3 7-11-201 et seq. ~~a special election to be held not more than ninety (90) days~~  
4 ~~from the date of the clerk's certification.~~

5  
6 SECTION 13. Arkansas Code § 14-48-114(b)(3), concerning removal of  
7 mayors or directors in city administrator cities, is amended to read as  
8 follows:

9 (3) The county board of election commissioners shall issue a  
10 proclamation in accordance with § 7-11-201 et seq., calling a special  
11 election on the question and shall fix a date for holding it ~~not more than~~  
12 ~~ninety (90) days from~~ on the next special election date under § 7-11-304  
13 after the date of the certification of the petitions by the clerk;

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

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

21  
22 SECTION 15. Arkansas Code § 14-61-113(1)(C), concerning special  
23 elections called by petition, is amended to read as follows:

24 (C) The special election shall be held ~~not more than sixty~~  
25 ~~(60) days~~ on the next special election date under § 7-11-304 after the  
26 proclamation calling the election, ~~provided that if the county board of~~  
27 ~~election commissioners certifies in writing that it cannot prepare the~~  
28 ~~ballots because of other pending elections, then the election can be held not~~  
29 ~~more than ninety (90) days after the proclamation;~~

30  
31 SECTION 16. Arkansas Code § 14-120-102(a), concerning elections in  
32 certain combination levee and drainage districts, is amended to read as  
33 follows:

34 (a)(1) ~~There~~ An election shall be held ~~an election~~ annually on the  
35 Tuesday next after the first Monday in May in all combination levee and  
36 drainage districts where the boundaries of the districts embrace all of the

1 lands within the corporate limits of a city of the first class and no lands  
 2 situated more than three (3) miles from the corporate limits, for the  
 3 election of one (1) member of the board of improvement.

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

6  
 7 SECTION 17. Arkansas Code § 14-122-104 is amended to read as follows:  
 8 14-122-104. Filing referendum petitions – Special election.

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

19  
 20 SECTION 18. Arkansas Code § 14-125-302(c)(2)(A), concerning election  
 21 dates for boards of directors of conservation districts, is amended to read  
 22 as follows:

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

- |    |           |              |
|----|-----------|--------------|
| 28 | Boone     | Little River |
| 29 | Carroll   | Logan        |
| 30 | Clark     | Lonoke       |
| 31 | Clay      | Poinsett     |
| 32 | Cleburne  | Polk         |
| 33 | Cleveland | Saline       |
| 34 | Columbia  | Scott        |
| 35 | Conway    | Searcy       |
| 36 | Crawford  | St. Francis  |



1           Cross                   White  
 2           Fulton                   Woodruff  
 3           Greene                   Yell  
 4           Jefferson

5  
 6           SECTION 19. Arkansas Code § 14-201-316(a), concerning the election of  
 7 members of the boards of public utilities, is amended to read as follows:

8           (a) In all cities and towns where a board of public utilities ~~shall be~~  
 9 is created under the provisions of this subchapter, there shall be held, ~~on a~~  
 10 ~~day to be designated by the county board of election commissioners not less~~  
 11 ~~than thirty (30) days nor more than sixty (60) days~~ on the next special  
 12 election date under § 7-11-304 before the expiration of the term of office of  
 13 any member of the board of public utilities, an election for the purpose of  
 14 electing a member of the board to succeed the outgoing member.

15  
 16           SECTION 20. Arkansas Code § 14-284-212(g)(2)(B), concerning elections  
 17 to approve increased assessments in fire protection districts outside of  
 18 cities and towns, is amended to read as follows:

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

23  
 24           SECTION 21. Arkansas Code § 14-286-103(a), concerning special  
 25 elections on the question of the establishment and financing of a red  
 26 imported fire ant abatement district, is amended to read as follows:

27           (a) The special election called by the county court to submit the  
 28 question of the establishment and financing of a red imported fire ant  
 29 abatement district to the electors of the proposed district shall be held in  
 30 accordance with § 7-11-201 et seq. ~~no later than ninety (90) days after the~~  
 31 ~~proclamation of the election~~ and on the next special election date under § 7-  
 32 11-304.

33  
 34           SECTION 22. Arkansas Code § 14-386-403(a), concerning elections on  
 35 enclosures in fencing districts, is amended to read as follows:

36           (a) The county court shall in the same publication prescribed by § 14-

1 386-402 give notice of and cause an election to be held ~~within thirty (30)~~  
2 ~~days of~~ on the next special election date under § 7-11-304 after the date of  
3 the filing of the petition, in the townships or parts of townships included  
4 in the petition, where the question of the creation of the proposed fencing  
5 district shall be submitted to the qualified electors living or owning land  
6 in the proposed district.

7  
8 SECTION 23. Arkansas Code § 15-43-204(a)(1), concerning local  
9 elections to redetermine doe-killing areas, is amended to read as follows:

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

19  
20 SECTION 24. Arkansas Code § 23-111-306(b)(1), concerning referendum  
21 elections on continuing greyhound racing, is amended to read as follows:

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

27  
28 SECTION 25. Arkansas Code § 23-113-201(a)(2)(E), concerning elections  
29 to conduct wagering on electronic games of skill, is amended to read as  
30 follows:

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

36

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

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

8  
9 SECTION 27. Arkansas Code § 26-73-111(c), concerning special local  
10 sales and use tax elections, is amended to read as follows:

11 (c) The special election shall be called for ~~a date not later than one~~  
12 ~~hundred twenty (120) days from the date of the action of the governing body~~  
13 ~~in establishing the date of the~~ next special election date under § 7-11-304.  
14

15 SECTION 28. Arkansas Code § 26-74-207(a)(2), concerning special  
16 elections on sales and use tax for capital improvements, is amended to read  
17 as follows:

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

21  
22 SECTION 29. Arkansas Code § 26-74-307(a)(2), concerning special  
23 elections on sales tax for capital improvements, is amended to read as  
24 follows:

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

28  
29 SECTION 30. Arkansas Code § 26-74-402(a), concerning special elections  
30 for sales and use tax for counties without an existing tax, is amended to  
31 read as follows:

32 (a) The county quorum court of any county not having a countywide one  
33 percent (1%) sales and use tax on March 14, 1991, may call an election for  
34 the levy of a ~~one-half~~ five-tenths of one percent (0.5%) countywide sales and  
35 use tax for any purpose for which the county general fund or county road fund  
36 may be used including allocating portions of this tax to the municipalities

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

4  
5 SECTION 31. Arkansas Code § 26-74-502(a), concerning special elections  
6 for sales tax on food and licensing, is amended to read as follows:

7 (a) If petitions are filed requesting an election for an initiated  
8 ordinance levying the tax authorized under this subchapter, the quorum court  
9 shall submit the question of the levying of the tax to the electors. The  
10 petitions must be signed by not less than five hundred (500) electors of the  
11 county. The election shall be held ~~within one hundred twenty (120) days of~~ on  
12 the next special election date under § 7-11-304 after the filing of the  
13 petitions. The tax shall be levied upon approval of a majority of the  
14 qualified electors voting on the issue at the election.

15  
16 SECTION 32. Arkansas Code § 26-75-208(a)(2), concerning special  
17 elections on sales and use taxes, 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 the special election~~ for the next special  
21 election date under § 7-11-304.

22  
23 SECTION 33. Arkansas Code § 26-75-213(a)(3)(B), concerning municipal  
24 sales and use taxes, is amended to read as follows:

25 (B) If the petition is found to be sufficient, the  
26 question shall be submitted to the electors ~~at a special election on a date~~  
27 ~~as may be requested by the petition~~ the next special election date under § 7-  
28 11-304 after certification of the sufficiency of the petition to the  
29 governing body of the city.

30  
31 SECTION 34. Arkansas Code § 26-75-213(a)(4), concerning municipal  
32 sales and use taxes, is amended to read as follows:

33 (4) The special election shall be called in accordance with § 7-  
34 11-201 et seq. ~~for a date not more than ninety (90) days from the date on~~  
35 ~~which the city clerk certifies the sufficiency of the petition to the~~  
36 ~~governing body of the city.~~

1  
2 SECTION 35. Arkansas Code § 26-75-308(a)(2), concerning municipal  
3 sales and use taxes, is amended to read as follows:

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

8  
9 SECTION 36. Arkansas Code § 26-75-404(a)(2), concerning the calling of  
10 a special election for a temporary tax for acquisition, construction, or  
11 improvement of parks, is amended to read as follows:

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

17  
18 SECTION 37. Arkansas Code § 26-75-503(b), concerning special elections  
19 on a gross receipts tax, is amended to read as follows:

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

26  
27 SECTION 38. Arkansas Code § 26-78-103(b)(1), concerning county and  
28 municipal motor vehicle tax, is amended to read as follows:

29 (b)(1) Notwithstanding other provisions of this chapter, before the  
30 tax levied by any county quorum court upon owners residing everywhere in the  
31 county or only upon owners residing within the county but outside the  
32 corporate boundaries of all municipalities in the county may be collected,  
33 the county court shall call a special election in accordance with § 7-11-201  
34 et seq. upon the first levy of the tax by the county quorum court, to be held  
35 ~~not more than ninety (90) days from the date of the adoption of the levy of~~  
36 ~~the tax by the quorum court~~ on the next special election date under § 7-11-

1 304, at which election the qualified electors of the area to be affected by  
2 the tax shall vote on the question of the levy of the tax.

3  
4 SECTION 39. Arkansas Code § 26-78-111(c), concerning special elections  
5 on county and municipal motor vehicle tax revenue bonds, is amended to read  
6 as follows:

7 (c) The ordinance or order shall specifically state the purpose for  
8 which the bonds are to be issued, the total amount of the issue, and the date  
9 upon which the election is to be held, which date shall ~~not occur earlier~~  
10 ~~than thirty (30) days after the passage of the ordinance or the entering of~~  
11 ~~the order~~ be on the next special election date under § 7-11-304.