

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H3/19/25

A Bill

HOUSE BILL 1724

5 By: Representative B. McKenzie
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING NONPARTISAN
10 ELECTIONS; TO AMEND THE LAW CONCERNING MEMBERS OF
11 LOCAL SCHOOL BOARDS OF DIRECTORS; TO AMEND THE LAW
12 CONCERNING SCHOOL BOARD ELECTIONS; TO AMEND THE DATE
13 ON WHICH AN ELECTION OF A SCHOOL DISTRICT BOARD OF
14 DIRECTORS IS HELD; AND FOR OTHER PURPOSES.

Subtitle

18 TO AMEND THE LAW CONCERNING LOCAL SCHOOL
19 BOARDS OF DIRECTORS AND SCHOOL BOARD
20 ELECTIONS; AND TO AMEND THE DATE ON
21 WHICH AN ELECTION OF A SCHOOL DISTRICT
22 BOARD OF DIRECTORS IS HELD.
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 *SECTION 1. Arkansas Code § 6-13-608 is amended to read as follows:*
27 *6-13-608. Length of directors' terms.*

28 *(a) All members of a school district board of directors shall be*
29 *elected to a term of office of ~~not less than three (3) years nor more than~~*
30 *~~five (5) years~~ four (4) years or six (6) years in length and with the*
31 *expiration of such terms so arranged that, as nearly as possible, an equal*
32 *number of positions are filled ~~each year~~ every school board election.*

33 *(b) Unless otherwise provided by law, members of a school district*
34 *board of directors shall have terms of office of equal length.*

35 *(c)(1) A member of a school district board of directors shall not*
36 *serve more than one (1) full term as a holdover.*



1 (2) *If at the expiration of the holdover term a person is not*
 2 *elected to fill the position at the annual school election or the person*
 3 *elected fails to subscribe to the director’s oath of office within the time*
 4 *provided under § 6-13-617(a)(1), the position is vacant and the ~~school~~*
 5 *~~district board of directors shall fill the vacancy~~ shall be filled as*
 6 *provided under § 6-13-611.*

7 (d)(1) An entire school district board of directors is required to be
 8 elected during the first school board election after a school district:

9 (A) Changes from an all at-large or combined at-large
 10 membership and is zoned to an all zoned or combined at-large and zoned
 11 membership;

12 (B) Is rezoned following the federal decennial census;

13 (C) Returns from state to local control; or

14 (D) Is reconstituted or consolidated.

15 (2) School board members shall initially draw lots for two-year
 16 or four-year terms in districts with four-year terms or two-year, four-year,
 17 or six-year terms in districts with six-year terms so that, as nearly as
 18 possible, an equal number of positions are filled in each subsequent school
 19 board election no longer than:

20 (A) Two (2) school board elections for those with four-
 21 year terms; or

22 (B) Three (3) school board elections for those with six-
 23 year terms.

24 (3) Initially, terms for members elected in 2025 shall expire in
 25 2028.

26 (4) For other members of a school district board of directors
 27 currently holding terms, terms set to expire on or in:

28 (A) 2026 shall expire in 2026;

29 (B) 2027 shall expire in 2026;

30 (C) 2028 shall expire in 2028; and

31 (D) 2029 shall expire in 2028.

32 (5) If after rebalancing terms, there is not, as nearly as
 33 possible, an equal number of positions filled every school board election,
 34 the school district board of directors shall adjust the minimum number of
 35 terms necessary to ensure balance between those terms expiring in 2026 and
 36 2028.

1 SECTION 2. Arkansas Code § 6-13-611(e)(1), concerning vacancies
2 generally of a school district board of directors, is amended to read as
3 follows:

4 (e)(1) An appointed director, except a director appointed to fill a
5 vacancy under § 6-13-613, shall serve only to the next ~~annual~~ school board
6 election, at which time the electors shall select in the usual manner
7 directors to serve the unexpired terms of the vacating directors.

8 SECTION 3. Arkansas Code § 6-13-634(d), concerning the size of a
9 school district board of directors, is amended to read as follows:

10 (d) Any change in the number of directors serving on a school district
11 board of directors under this section is effective upon the directors' taking
12 office following the next regular ~~annual~~ school board election.
13

14 SECTION 4. Arkansas Code § 6-13-1415(e)(1)(B), concerning an interim
15 school district board of directors following an involuntary consolidation or
16 annexation, is amended to read as follows:

17 (B) All the members of the permanent board of directors of
18 the resulting district or receiving district are elected at-large, then the
19 state board may stagger the terms of the interim board of directors, which
20 shall be determined by lot so that ~~no more than two (2) members' terms expire~~
21 ~~during any one (1) year~~ , as nearly as possible, an equal number of positions
22 are filled during each school board election.
23

24 SECTION 5. Arkansas Code § 6-13-1417(a)(3), concerning the formation
25 of a school district board of directors following an involuntary
26 consolidation or annexation, is amended to read as follows:

27 (3) At the first meeting of the permanent board of directors,
28 the members shall determine the terms of the board of directors by lot so
29 that ~~not more than two (2) members' terms expire during any one (1) year~~ , as
30 nearly as possible, an equal number of positions are filled during each
31 school board election.
32

33 SECTION 6. Arkansas Code § 6-14-102(c)(1), concerning the annual
34 school election date and special school elections, is amended to read as
35 follows:

36 (c)(1) When the annual school election is not held at the same time as

1 a preferential primary or general election, if ~~no more than one (1) candidate~~
 2 ~~for a school district director position presents a petition or notice as~~
 3 ~~required by § 6-14-111 and if~~ there are no other ballot issues to be
 4 submitted to school district electors for consideration, with the exception
 5 of the local tax rate if that rate is not being changed or restructured, the
 6 board of directors of a school district, by resolution, may request the
 7 county board of election commissioners to:

8 (A) Reduce the number of polling places;

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

11 (C)(i) Declare an election by candidate to be held;

12 (ii) Open no polling places; and

13 (iii) Allow the candidate to cast a ballot for
 14 himself or herself at a designated time and location on election day or
 15 during the period that would otherwise be designated for early voting.
 16

17 *SECTION 7. Arkansas Code § 6-14-102(a)(1)(A), concerning the annual*
 18 *school election date and special school elections, is amended to read as*
 19 *follows:*

20 (a)(1)(A) *The annual school election shall be held in each school*
 21 *district of the state:*

22 (i) *In even-numbered years, on the date of the+*

23 ~~(a) Preferential preferential primary election; or~~

24 ~~(b) General election; and~~

25 (ii) *In odd-numbered years, on the+*

26 ~~(a) Second Tuesday in November; or~~

27 ~~(b) Second second Tuesday in May.~~

28
 29 *SECTION 8. Arkansas Code § 6-14-102, concerning the annual school*
 30 *election date and special school elections, is amended to add an additional*
 31 *subsection to read as follows:*

32 (d) The election of a school district board of directors not elected
 33 entirely during the same election shall be held in each public school
 34 district of this state on the date of the preferential primary election.
 35

36 *SECTION 9. Arkansas Code § 6-14-111(a), concerning the candidate*

1 filing procedures, is amended to read as follows:

2 (a)(1) All candidate filings under this subchapter shall be with the
3 county clerk of the county in which the school district is domiciled for
4 administrative purposes.

5 (2) A district school board member shall be elected at the
6 preferential primary election.

7 ~~(2)(A)(i)~~ (3)(A)(i) In a special school election or an annual
8 school election not held with the preferential primary ~~or general~~ election,
9 all actions required of county boards of election commissioners shall be
10 performed by the county board of election commissioners of the county in
11 which the school district is domiciled for administrative purposes.

12 (ii) However, if one of that school district's
13 nondomicile counties is holding a special election on the same date as a
14 school election and at least one (1) qualified elector in the county is
15 eligible to vote in both the special election and the school election, each
16 county in which the school district has territory shall conduct the school
17 district's school election as if it were held with the preferential primary
18 ~~or general~~ election.

19 (B) When a county clerk of a school district's nondomicile
20 county becomes aware that a special election will be held on the same date as
21 a school district's annual or special school election and at least one (1)
22 qualified elector in the county is eligible to vote in both the special
23 election and the school election, the county clerk of the nondomicile county
24 shall immediately notify the county clerk of the county in which the school
25 district is domiciled for administrative purposes in writing that the school
26 district's school election shall be conducted under subdivision ~~(a)(3)(a)(4)~~
27 of this section.

28 (C) The county clerk of the county in which the school
29 district is domiciled for administrative purposes shall then immediately
30 notify the county clerks of any other nondomicile counties that the school
31 district's election will be conducted under subdivision ~~(a)(3)(a)(4)~~ of this
32 section.

33 ~~(3)(4)~~ In a school election held with the preferential primary
34 ~~or general~~ election, all actions required of county boards of election
35 commissioners shall be performed by the county board of election
36 commissioners of the county in which the electors reside.

1
2 SECTION 10. Arkansas Code § 6-14-111(e)(1), concerning the candidate
3 filing procedures, is amended to read as follows:

4 (e)(1) The petition, affidavit of eligibility, and the candidate's
5 political practices pledge shall be filed with the county clerk ~~as follows:~~

6 ~~(A)(i) For even numbered years, during the party filing~~
7 ~~period as set forth in § 7-7-203 for school elections held concurrently with~~
8 ~~a preferential primary election; and~~

9 ~~(ii) For odd numbered years, during the dates that~~
10 ~~would be the filing period as set forth in § 7-7-203 if a preferential~~
11 ~~primary and general election were to be held in that year; or~~

12 ~~(B) During a one week period ending at 12:00 noon ninety~~
13 ~~(90) days before a school election held in November beginning at 3:00 p.m. on~~
14 ~~the first day of the party filing period under § 7-7-203 and shall end at~~
15 ~~3:00 p.m. on the last day of the party filing period under § 7-7-203.~~

16
17 SECTION 11. Arkansas Code § 6-14-111(h)(2), concerning candidate
18 filing procedures, is amended to read as follows:

19 (2) The county board of election commissioners shall not place
20 the name of an unopposed candidate for school district director on the ballot
21 during a school board election held concurrently with the *preferential*
22 *primary election* ~~or general election.~~

23
24 SECTION 12. Arkansas Code § 6-14-111(k), concerning candidate filing
25 procedures, is amended to read as follows:

26 (k) The order in which the names of the respective candidates are to
27 appear on the ballot shall be determined by lot at the public meeting of the
28 county board of election commissioners held not later than:

29 ~~(1) The the deadline to conduct the ballot draw for the~~
30 ~~preferential primary or general election ~~for an annual school election held~~~~
31 ~~~~in even numbered years;~~~~

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

34 ~~(3) Seventy two (72) days before an annual school election held~~
35 ~~on the second Tuesday of November of an odd numbered year.~~

36

1 SECTION 13. Arkansas Code § 6-14-121(a)(3), concerning runoff
2 elections, is amended to read as follows:

3 (3) The runoff election shall be held+

4 ~~(A) Four (4) weeks following the date of an election held~~
5 ~~in any odd-numbered year;~~

6 ~~(B) On the date designated for the general primary~~
7 ~~election if the annual school election is held with the preferential primary~~
8 ~~election; or~~

9 ~~(C) On the date designated for the general runoff election~~
10 ~~if the annual school election is held with the general election at the same~~
11 ~~time as the general election.~~

12
13 SECTION 14. Arkansas Code § 6-14-121(c), concerning runoff elections,
14 is amended to read as follows:

15 (c) If one (1) of the two (2) candidates who received the highest
16 number of votes for a position withdraws before certification of the result
17 of the school board election, the remaining candidate who received the most
18 votes at the school board election shall be declared elected to the office
19 and there shall be no school board election runoff.

20
21 SECTION 15. Arkansas Code § 7-10-102 is amended to read as follows:

22 7-10-102. Nonpartisan election of judges, justices, ~~and~~ prosecuting
23 attorneys, and school board members.

24 (a) The offices of Justice of the Supreme Court, Judge of the Court of
25 Appeals, circuit judge, district judge, ~~and~~ prosecuting attorney, and a
26 member of a school district board of directors are nonpartisan offices.

27 (b)(1) The general elections for nonpartisan offices shall be held on
28 the same date and at the same times and places as provided by law for
29 preferential primary elections.

30 (2)(A) The names of nonpartisan candidates shall be:

31 (i) Included on the ballots of the political
32 parties; and

33 (ii) Designated as nonpartisan candidates.

34 (B) Separate ballots containing the names of nonpartisan
35 candidates shall be:

36 (i) Prepared; and

1 (ii) Made available to voters requesting a separate
2 ballot.

3 (3) A voter shall not be required to vote in a political party's
4 preferential primary to be able to vote in a nonpartisan election.

5 (c)(1) A person shall not be elected to the office of Justice of the
6 Supreme Court, Judge of the Court of Appeals, circuit judge, district judge,
7 ~~or~~ prosecuting attorney, or a member of a school district board of directors
8 unless the person receives a majority of the votes cast at the election for
9 the office.

10 (2) In a nonpartisan election in which no person receives a
11 majority of the votes cast, the two (2) candidates receiving the highest and
12 next highest number of votes shall be certified to a runoff election, which
13 shall be held on the same date and at the same times and places as the
14 November general election.

15 (3) The names of the candidates in a nonpartisan runoff election
16 shall be placed on the same ballots as used for the November general
17 elections.

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/s/B. McKenzie