

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

A Bill

HOUSE BILL 1724

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

For An Act To Be Entitled

8
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.
15
16

Subtitle

17
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 in length and with the expiration of such terms
31 so arranged that, as nearly as possible, an equal number of positions are
32 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 as provided under § 6-13-~~
 6 ~~611 (1) If an entire school district board of directors is elected~~
 7 during the same school board election, the members of the school district
 8 board of directors who are elected during the same school board election
 9 shall initially draw lots for two-year or four-year terms so that, as nearly
 10 as possible, an equal number of positions are filled in each subsequent
 11 school board election.

12 (2)(A) Initially, terms for members elected in May 2025 shall
 13 expire in 2028.

14 (B) All other members shall draw for terms so, as nearly
 15 as possible, an equal number of positions are filled every school board
 16 election.

17 (3) For members of a school district board of directors
 18 currently holding terms, terms set to expire on or in:

19 (A) November 2025 shall expire in 2026;

20 (B) 2026 shall expire in 2026;

21 (C) 2027 shall expire in 2026;

22 (D) 2028 shall expire in 2028; and

23 (E) 2029 shall expire in 2028.

24 (4) If after rebalancing terms, there is not, as nearly as
 25 possible, an equal number of positions filled every school board election,
 26 the school district board of directors shall adjust the minimum number of
 27 terms necessary to ensure balance between those terms expiring in 2026 and
 28 2028.

29
 30 SECTION 2. Arkansas Code § 6-13-611(e)(1), concerning vacancies
 31 generally of a school district board of directors, is amended to read as
 32 follows:

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

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

3 (d) Any change in the number of directors serving on a school district
4 board of directors under this section is effective upon the directors' taking
5 office following the next regular ~~annual~~ school board election.
6

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

10 (B) All the members of the permanent board of directors of
11 the resulting district or receiving district are elected at-large, then the
12 state board may stagger the terms of the interim board of directors, which
13 shall be determined by lot so that ~~no more than two (2) members' terms expire~~
14 ~~during any one (1) year~~ , as nearly as possible, an equal number of positions
15 are filled during each school board election.
16

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

20 (3) At the first meeting of the permanent board of directors,
21 the members shall determine the terms of the board of directors by lot so
22 that ~~not more than two (2) members' terms expire during any one (1) year~~ , as
23 nearly as possible, an equal number of positions are filled during each
24 school board election.
25

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

29 (c)(1) When the annual school election is not held at the same time as
30 a preferential primary or general election, if ~~no more than one (1) candidate~~
31 ~~for a school district director position presents a petition or notice as~~
32 ~~required by § 6-14-111 and if there are no other ballot issues to be~~
33 submitted to school district electors for consideration, with the exception
34 of the local tax rate if that rate is not being changed or restructured, the
35 board of directors of a school district, by resolution, may request the
36 county board of election commissioners to:

- 1 (A) Reduce the number of polling places;
- 2 (B) Open no polling places on election day so that the
- 3 election can be conducted by absentee ballot and early voting only; or
- 4 (C)(i) Declare an election by candidate to be held;
- 5 (ii) Open no polling places; and
- 6 (iii) Allow the candidate to cast a ballot for
- 7 himself or herself at a designated time and location on election day or
- 8 during the period that would otherwise be designated for early voting.

9

10 SECTION 7. Arkansas Code § 6-14-102, concerning the annual school

11 election date and special school elections, is amended to add an additional

12 subsection to read as follows:

13 (d) The election of a school district board of directors not elected

14 entirely during the same election shall be held in each public school

15 district of this state on the date of the preferential primary election.

16

17 SECTION 8. Arkansas Code § 6-14-111(a), concerning the candidate

18 filing procedures, is amended to read as follows:

19 (a)(1) All candidate filings under this subchapter shall be with the

20 county clerk of the county in which the school district is domiciled for

21 administrative purposes.

22 (2) A district school board member shall be elected at the

23 preferential primary election.

24 ~~(2)(A)(i)~~ (3)(A)(i) In a special school election or an annual

25 school election not held with the preferential primary or general election,

26 all actions required of county boards of election commissioners shall be

27 performed by the county board of election commissioners of the county in

28 which the school district is domiciled for administrative purposes.

29 (ii) However, if one of that school district's

30 nondomicile counties is holding a special election on the same date as a

31 school election and at least one (1) qualified elector in the county is

32 eligible to vote in both the special election and the school election, each

33 county in which the school district has territory shall conduct the school

34 district's school election as if it were held with the preferential primary

35 or general election.

36 (B) When a county clerk of a school district's nondomicile

1 county becomes aware that a special election will be held on the same date as
 2 a school district's annual or special school election and at least one (1)
 3 qualified elector in the county is eligible to vote in both the special
 4 election and the school election, the county clerk of the nondomicile county
 5 shall immediately notify the county clerk of the county in which the school
 6 district is domiciled for administrative purposes in writing that the school
 7 district's school election shall be conducted under subdivision ~~(a)(3)~~(a)(4)
 8 of this section.

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

14 ~~(3)(4)~~ In a school election held with the preferential primary
 15 or general election, all actions required of county boards of election
 16 commissioners shall be performed by the county board of election
 17 commissioners of the county in which the electors reside.

18
 19 SECTION 9. Arkansas Code § 6-14-111(e)(1), concerning the candidate
 20 filing procedures, is amended to read as follows:

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

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

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

29 ~~(B) During~~ during a one-week period ending at 12:00 noon
 30 ninety (90) days before a school board election ~~held in November.~~

31
 32 SECTION 10. Arkansas Code § 6-14-111(h)(2), concerning candidate
 33 filing procedures, is amended to read as follows:

34 (2) The county board of election commissioners shall not place
 35 the name of an unopposed candidate for school district director on the ballot
 36 during a school board election held concurrently with the ~~preferential~~

1 ~~primary election or general election~~ school board election.

2
3 SECTION 11. Arkansas Code § 6-14-111(k), concerning candidate filing
4 procedures, is amended to read as follows:

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

8 ~~(1) The the deadline to conduct the ballot draw for the~~
9 ~~preferential primary or general election for an annual school election held~~
10 ~~in even-numbered years;~~

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

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

15
16 SECTION 12. Arkansas Code § 6-14-121(a)(3), concerning runoff
17 elections, is amended to read as follows:

18 (3) The runoff election shall be held+

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

21 ~~(B) On the date designated for the general primary~~
22 ~~election if the annual school election is held with the preferential primary~~
23 ~~election; or~~

24 ~~(C) On the date designated for the general runoff election~~
25 ~~if the annual school election is held with the general election at the same~~
26 ~~time as the general election.~~

27
28 SECTION 13. Arkansas Code § 6-14-121(c), concerning runoff elections,
29 is amended to read as follows:

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

35
36 SECTION 14. Arkansas Code § 7-10-102 is amended to read as follows:

1 7-10-102. Nonpartisan election of judges, justices, ~~and~~ prosecuting
2 attorneys, and school board members.

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

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

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

10 (i) Included on the ballots of the political
11 parties; and

12 (ii) Designated as nonpartisan candidates.

13 (B) Separate ballots containing the names of nonpartisan
14 candidates shall be:

15 (i) Prepared; and

16 (ii) Made available to voters requesting a separate
17 ballot.

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

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

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

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

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