

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Young**

A Bill

ACT 541 OF 1993
HOUSE BILL 1631

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 14-47-110 TO
9 PROVIDE THAT A PETITION FOR CANDIDACY AS CITY DIRECTOR
10 SHALL BE FILED NOT LESS THAN SIXTY (60) DAYS BEFORE THE
11 ELECTION BY TWELVE O_CLOCK NOON; AND FOR OTHER PURPOSES."

Subtitle

14 "REQUIRING A PETITION FOR CITY DIRECTOR CANDIDACY BE FILED
15 NOT LESS THAN 60 DAYS BEFORE THE ELECTION BY TWELVE
16 O_CLOCK NOON."

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

20 SECTION 1. Arkansas Code § 14-47-110(a) is hereby amended to read as
21 follows:

22 "(a) Candidates for the office of director shall be nominated and
23 elected as follows:

24 (1)(A)(i) A special election for the election of the initial
25 membership of the board shall be called by the mayor as provided in §
26 14-47-106.

27 (ii) The mayor's proclamation shall be published
28 through one (1) insertion in some newspaper having a bona fide circulation in
29 the municipality, not less than sixty (60) days before the date of the
30 election.

31 (B)(i) A special election to fill any vacancy under §
32 14-47-113 shall be called through a resolution of the board of directors.

33 (ii) A proclamation announcing the holding of the
34 election shall be signed by the mayor and published not less than sixty (60)
35 days prior to the date of the election in some newspaper having a bona fide
36 circulation in the municipality.

1 (2) The petition mentioned in subdivision (3) of this subsection
2 supporting the candidacy of each candidate to be voted upon at any general or
3 special election shall be filed with the city clerk or recorder not less than
4 sixty (60) days before the election by twelve o'clock noon.

5 (3) (A) (i) In respect to both special and general elections, the
6 name of each candidate shall be supported by a petition, signed by at least
7 fifty (50) qualified electors of the municipality, requesting the candidacy of
8 the candidate.

9 (ii) The petition shall show the residence address of
10 each signer and shall carry an affidavit, signed by one (1) or more persons,
11 in which the affiant or affiants shall vouch for the eligibility of each
12 signer of the petition.

13 (B) Each petition shall be substantially in the following
14 form:

15 _The undersigned, duly qualified electors of the City of
16 ., Arkansas, each signer hereof residing at the address set opposite his
17 signature, hereby requests that the name of be
18 placed on the ballot as a candidate for election to Position No. on
19 the Board of Directors of said City of at the election to
20 be held in such City on the day of, 19. . .
21 .. We further state that we know said person to be a qualified elector of said
22 City and a person of good moral character and qualified in our judgment for
23 the duties of such office._

24 (C) A petition for nomination shall not show the name of
25 more than one (1) candidate.

26 (D) (i) The name of the candidate mentioned in each
27 petition, together with a copy of the election proclamation if the election is
28 a special election, shall be certified by the city clerk or recorder to the
29 county board of election commissioners not less than thirty-five (35) days
30 before the election unless the clerk or recorder finds that the petition fails
31 to meet the requirements of this chapter.

32 (ii) (a) Whether the names of the candidates so
33 certified to the county board of election commissioners are to be submitted at
34 a biennial general election, or at a special election held on a different
35 date, the election board shall have general supervision over the holding of

1 each municipal election.

2 (b) In this connection, the board shall post
3 the nominations, print the ballots, establish the voting precincts, appoint
4 the election judges and clerks, determine and certify the result of the
5 election, and determine the election expense chargeable to the city, all in
6 the manner prescribed by law in respect to general elections. It is the
7 intention of this chapter that the general election machinery of this state
8 shall be utilized in the holding of all general and special elections
9 authorized under this chapter.

10 (c) The result of the election shall be
11 certified by the election board to the city clerk or recorder.

12 (4) The candidate for any designated position on the board of
13 directors who, in any general or special election, shall receive votes greater
14 in number than those cast in favor of any other candidate for the position
15 shall be deemed to be elected."

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17 SECTION 2. All provisions of this act of a general and permanent nature
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
19 Revision Commission shall incorporate the same in the Code.

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21 SECTION 3. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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27 SECTION 4. All laws and parts of laws in conflict with this act are
28 hereby repealed.

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APPROVED: 03-16-93

