

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 1361 of 2003
HOUSE BILL 2321

5 By: Representative Verkamp
6
7

For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR THE EMPLOYMENT OF AN
10 ATTORNEY IN FIRST-CLASS CITIES IF NO ATTORNEY
11 RESIDES WITHIN THE CITY OR IF NO RESIDENT
12 ATTORNEY IS ELECTED OR WILLING TO SERVE AS CITY
13 ATTORNEY; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO PROVIDE FOR THE EMPLOYMENT OF AN
16 ATTORNEY IN FIRST-CLASS CITIES IF NO
17 ATTORNEY RESIDES IN THE CITY OR IF NO
18 RESIDENT ATTORNEY IS ELECTED TO SERVE AS
19 CITY ATTORNEY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 14-43-314 is amended to read as follows:

26 14-43-314. City attorney in mayor-council cities of 50,000 or more.

27 (a)(1) The city attorney in any city of this state having a mayor-
28 council form of government and having a population of fifty thousand (50,000)
29 or more inhabitants shall be elected by the qualified electors of the city in
30 the same manner as other municipal officials are elected.

31 (2) At the November 1978 general election and each four (4)
32 years thereafter, the qualified electors of each city under this section
33 shall elect a city attorney to take office on the next following January 1,
34 to serve for a term of four (4) years.

35 (b)~~(1)~~ Any person elected as city attorney under the provisions of
36 this section shall perform such duties, possess such qualifications, employ



1 such staff, and be paid such salary and expenses as may be established, by
2 ordinance, by the city council of the city.

3 ~~(2) [Repealed].~~

4 (c)(1) If no attorney residing in the city is elected as city
5 attorney, the city council may select a resident attorney to fill the office
6 for the remainder of the unfilled term.

7 (2)(A) If no resident attorney of the city is willing to serve
8 as city attorney or if no attorney resides within the limits of the city, the
9 mayor and city council may contract with any licensed attorney of this state,
10 or the attorney's firm, to serve as legal advisor, counselor, or prosecutor
11 until a qualified city attorney is elected or appointed.

12 (B) The duties of a nonresident attorney under contract
13 shall be prescribed by ordinance.

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15 SECTION 2. Arkansas Code § 14-43-315 is amended to read as follows:

16 14-43-315. City attorney in mayor-council cities of less than 50,000.

17 (a) The qualified voters of cities of the first class having a
18 population of less than fifty thousand (50,000) and having the mayor-council
19 form of government shall, on the Tuesday following the first Monday in
20 November, 1970, and every four (4) years thereafter, elect a city attorney
21 for four (4) years.

22 (b) Incumbent city attorneys shall continue in office until their
23 successors are elected and qualified.

24 (c)(1) If no attorney residing in the city is elected as city
25 attorney, the city council may select a resident attorney to fill the office
26 for the remainder of the unfilled term.

27 (2)(A) If no resident attorney of the city is willing to serve
28 as city attorney or if no attorney resides within the limits of the city, the
29 mayor and city council may contract with any licensed attorney of this
30 state, or the attorney's firm, to serve as legal advisor, counselor, or
31 prosecutor until a qualified city attorney is elected or qualified.

32 (B) The duties of a nonresident attorney under contract
33 shall be prescribed by ordinance.

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36 APPROVED: 4/15/2003