

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.

Act 81 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H1/24/05

A Bill

HOUSE BILL 1140

5 By: Representative Verkamp
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For An Act To Be Entitled

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9
10 AN ACT TO AMEND ARKANSAS CODE § 14-43-312 TO
11 CLARIFY THE PROCEDURE FOR STAGGERING THE FOUR-
12 YEAR TERMS FOR ALDERMEN IN CITIES OF THE FIRST
13 CLASS WITH FEWER THAN FIFTY THOUSAND (50,000)
14 INHABITANTS; AND FOR OTHER PURPOSES.
15

Subtitle

16
17 TO CLARIFY THE PROCEDURES FOR STAGGERING
18 FOUR-YEAR TERMS FOR ALDERMEN IN FIRST
19 CLASS CITIES WITH A POPULATION UNDER
20 FIFTY THOUSAND (50,000).
21
22

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

25 SECTION 1. Arkansas Code § 14-43-312 is amended to read as follows:
26 14-43-312. Aldermen in mayor-council cities of fewer than 50,000.

27 (a)(1) On the Tuesday following the first Monday in November 1966, and
28 every two (2) years thereafter, the qualified voters of all cities of the
29 first class having the mayor-council form of government with fewer than fifty
30 thousand (50,000) inhabitants shall elect two (2) aldermen from each ward for
31 a term of two (2) years, except that any city of the first class may, by
32 ordinance, refer the question to voters to elect two (2) aldermen from each
33 ward to four-year terms as more particularly set out in subdivision (a)(2)(A)
34 of this section.

35 (2)(A) On or before February 1 of the election year when the



1 procedure will go into effect, any city of the first class, by ordinance
2 referred to and approved by the voters at the previous general election or at
3 a special election called for that purpose, may elect two (2) aldermen from
4 each ward to four-year terms, except for the initial terms as provided in
5 subdivision (a)(2)(B) of this section.

6 (B)(i) If this procedure is adopted by ordinance referred
7 to and approved by the voters of the city, the alderman representing position
8 number one from each ward will be elected to a four-year term at the next
9 general election.

10 (ii) The alderman representing position number two
11 from each ward will be elected to an initial two-year term at the next
12 election, and thereafter will be elected to four-year terms, resulting in
13 staggered terms with one (1) alderman being elected to a four-year term from
14 each ward every two (2) years.

15 (b)(1) The county board of election commissioners shall designate the
16 aldermen as alderman number one and alderman number two.

17 (2)(A) A candidate for the office of alderman shall designate
18 the number of the alderman's office which the candidate is seeking at the
19 time he or she files as a candidate for the office.

20 (B) When this designation has been made, the candidate
21 shall not be permitted thereafter to change the designation.

22 (c)(1)(A) The city council may refer an ordinance to voters on the
23 question of returning a city to electing aldermen to two-year terms.

24 (B) The ordinance must be passed by a two-thirds (2/3)
25 vote of the city council before it is referred to and approved by voters at a
26 general election.

27 (2) If the voters approve returning the city to electing
28 aldermen to two-year terms, all aldermen shall be elected to two-year terms
29 at the next general election and thereafter, except that those aldermen
30 -serving a four-year term shall complete the term.

31 (3) The city council may not refer another question to voters on
32 electing aldermen to four-year terms or on returning the city to electing
33 aldermen to two-year terms unless at least four (4) years have passed since
34 the last election on changing the aldermanic terms.

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36 /s/ Verkamp

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APPROVED: 2/08/2005