

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of Senate Bill No. 335

"AN ACT TO TO CLARIFY THE PROCESS OF FILLING AN ALDERMANIC VACANCY IN
A CITY OF THE FIRST CLASS."

Amendment No. 1 to Senate Bill No. 335.

Amend Senate Bill No. 335 as originally introduced:

Delete Section 2 in its entirety, and substitute the following:

"SECTION 2. Arkansas Code 14-43-411, as amended by Section 2 of Act 185 of 2009, is amended to read as follows:

14-43-411. Alderman vacancy in mayor-council form of government.

(a)(1)(A) Whenever a vacancy occurs in the office of alderman in a city of the first class having a population of less than twenty thousand (20,000) according to the most recent federal decennial census, at ~~any~~ the first regular meeting after the occurrence of the vacancy, the city council shall proceed to elect by a majority vote of the remaining members elected to the council an alderman to serve for the unexpired term.

(B)(i) However, at least a quorum of the whole number of the city council shall remain in order to fill a vacancy.

~~(C)(ii)~~ The election by the remaining members of the city council is not subject to veto by the mayor.

(2) The person elected by the council shall be a resident of the ward where the vacancy occurs at the time of the vacancy.

(b) When a vacancy occurs in any position of alderman in a city having a population of ~~fifty thousand (50,000)~~ twenty thousand (20,000) or more, according to the most recent federal decennial census, ~~and having a mayor-council form of government in which the electors of each ward elect one (1) or more aldermen,~~ a new alderman shall be chosen in the following manner:

(1) If the unexpired portion of the term of alderman exceeds one (1) year, ~~a successor shall be elected by a vote of the electors of the ward. The city council shall order a special election to be held pursuant to a proclamation issued by the mayor in accordance with 7-5-103(a) no later than ninety (90) days after the date the vacancy occurs~~ at the first regular meeting after the occurrence of the vacancy, the city council shall proceed to either elect by a majority vote of the remaining members elected to the council an alderman to serve for the unexpired term or call for a special election to be held in accordance with § 7-5-103(a) to fill the vacancy; or

(2) If the unexpired portion of the term of alderman is one (1) year or less, a successor shall be chosen by a majority vote of the members



of the council."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator G. Jeffress

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Secretary