

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL 1017

4 **By: Representatives Flanagin and Barclay**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 14-14-401 TO ENACT A
9 PROCEDURE WHEREBY COUNTY QUORUM COURTS MAY ALTER TOWNSHIP
10 BOUNDARIES OR CREATE NEW TOWNSHIPS WITHIN A COUNTY; TO
11 AMEND ARKANSAS CODE § 14-14-403 TO SET THE DATE FOR THE
12 REAPPORTIONMENT OF COUNTY QUORUM COURT DISTRICTS FROM
13 JANUARY 1, 1992 TO NOVEMBER 1, 1991; AND FOR OTHER
14 PURPOSES."

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

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18 SECTION 1. Arkansas Code § 14-14-401 is hereby amended to read as
19 follows:

20 "14-14-401. Establishment - Townships continued.

21 (a) Each county of the state shall divide its land area into convenient
22 county quorum court districts in a manner and at times prescribed by the
23 General Assembly.

24 (b) The political townships of the respective counties of this state
25 which were in effect at the time of the adoption of Arkansas Constitution,
26 Amendment 55, as they have been or may hereafter be altered in the manner
27 authorized by this section, are continued for such purposes as is or may be
28 prescribed by the Arkansas Constitution or by law and for such other purposes
29 as may be appropriate.

30 (c) The county quorum court of each county in this State shall, from
31 time to time, as occasion may require but not less than once every ten (10)
32 years after the Federal Decennial Census, divide the county into convenient
33 townships, subdivide those already established, and alter township boundaries
34 as they determine as necessary. The county election commission shall provide
35 the county quorum court with the appropriate and necessary Federal Decennial

1 Census information for the county to apportion the county into townships. Not
2 more than *seventy-five (75)* days after the date established for apportionment
3 of county quorum court districts, each county quorum court shall divide or
4 apportion the county into townships *and shall submit the plan to the county*
5 *board of election commissioners for approval. The county board of election*
6 *commissioners shall approve or disapprove the plan within fifteen (15) days*
7 *after it is submitted.* The county quorum court may, but is not required to,
8 continue previously established township boundaries or may apportion them in
9 accordance to population or may use any other criteria it determines as
10 appropriate to determine the township boundaries for the county. *The number*
11 *of townships shall not be less than the lesser of the number of existing*
12 *townships or the number of quorum court districts under the most recent*
13 *apportionment.*

14 (d) Not later than ten (10) days after the date set for the division
15 or apportionment of a county into townships or after a township boundary
16 change, the county quorum court shall file its report with the clerk of the
17 county, setting forth the township boundaries, containing the name and
18 boundaries of each township, the place appointed for holding elections, and
19 the number of inhabitants within each of them. It shall be the duty of the
20 clerk of each county to enter into the records of each county a description of
21 each township established by the quorum court, and he shall record every
22 alteration that may from time to time be made in any township lines. Within
23 fifteen (15) days of the filing of a township apportionment plan or other
24 change altering township boundaries, the clerk of the county shall cause to be
25 published in a newspaper of general circulation in the county the township
26 boundaries apportioned or changed, the name of the township, and the number of
27 inhabitants within each of them. Original jurisdiction of any suit to contest
28 the apportionment or alteration made for township boundaries by the county
29 quorum court is vested in the circuit court of the affected county. Any such
30 contest shall be filed with the circuit court within thirty (30) days
31 following the date publication appears in a newspaper of general circulation.

32 (e) The clerk of the county, within seven (7) calendar days following
33 the expiration of the time period provided for the filing of contest of
34 establishing of any new township or altering any township line, shall transmit
35 to the Secretary of State a certified copy of the record made of the

1 establishing of any new township or altering any township line, and transmit
2 to the Secretary of State's office and to the county election commission a
3 certified copy of the record made in such case.

4 (f) No township line shall pass through any city or town in this state,
5 but the whole of each city or town shall be included in one township."
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7 SECTION 2. Arkansas Code § 14-14-403 is hereby amended to read as
8 follows:

9 "14-14-403. Apportionment of districts.

10 (a) The county board of election commissioners in each county shall be
11 responsible for the apportionment of the county into quorum court districts.
12 Until otherwise changed in the method set forth in this subchapter, the
13 districts of each county shall consist of the territory of the township
14 established by the county board of election commissioners on or before
15 November 3, 1975, pursuant to the provisions of Acts 1975, No. 128 Repealed.
16 Thereafter, districts shall be apportioned on or before the first Monday
17 after November 1, 1991, and each ten (10) years thereafter.

18 (b) All apportionments shall be based on the population of the county
19 as of the last Federal Decennial Census, and the number of districts
20 apportioned shall be equal to the number to which the county is entitled by
21 law.

22 (c) The provisions of this subchapter shall not be construed to affect
23 the composition of the county committees of the political parties, and the
24 county committee of each political party shall designate the geographic area
25 within the county from which county committeemen shall be selected."
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27 SECTION 3. All provisions of this act of general and permanent nature
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
29 Revision Commission shall incorporate the same in the Code.

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31 SECTION 4. If any provision of this Act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the Act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 Act are declared to be severable.

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SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

/s/P. Flanagan and R. Barclay