

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Wilson**

A Bill

HOUSE BILL 1050

For An Act To Be Entitled

8 "AN ACT TO AMEND THE ARKANSAS CAMPAIGN FINANCING LAW TO
9 PROHIBIT ATTORNEYS FROM CONTRIBUTING TO POLITICAL
10 CAMPAIGNS OF PERSONS SEEKING JUDICIAL OFFICE; TO PROVIDE
11 THAT JUDICIAL OFFICES ARE NONPARTISAN AND THAT CANDIDATES
12 FOR SUCH OFFICE SHALL FILE AS INDEPENDENTS; AND FOR OTHER
13 PURPOSES."

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

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17 SECTION 1. Arkansas Code 7-6-203 is hereby amended by inserting an
18 additional subsection at the end thereof to read as follows:

19 "(e) It is unlawful for anyone licensed as an attorney by the Arkansas
20 Supreme Court or anyone acting on the attorney's behalf to make a
21 contribution, directly or indirectly, to a candidate for judicial office in
22 this State or to any person acting on the candidate's behalf. It is unlawful
23 for any candidate for judicial office in this State or any person acting on
24 the candidate's behalf to accept any campaign contribution from anyone
25 licensed as an attorney by the Arkansas Supreme Court or from anyone acting on
26 the attorney's behalf."

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28 SECTION 2. All judicial offices in this State are hereby declared to be
29 nonpartisan offices and candidates therefor shall file as independents under
30 Arkansas Code 7-7-103 and all other laws applicable thereto. No person shall
31 be elected to any judicial office without receiving a majority of the votes
32 cast at the election. In any judicial election where no person received a
33 majority of the votes cast, the two (2) candidates receiving the highest and
34 next highest number of votes shall be certified to a special runoff election
35 which shall be held two (2) weeks from the date on which the general election

1 was held.

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3 SECTION 3. All provisions of this Act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 4. If any provision of this Act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the Act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 Act are declared to be severable.

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13 SECTION 5. All laws and parts of laws in conflict with this Act are
14 hereby repealed.

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16 SECTION 6. Emergency. It is hereby found and determined by the General
17 Assembly that the citizens of this State expect people serving as judges to be
18 totally objective and nonpartisan in exercising their judicial authority; that
19 under current law political parties nominate candidates for the several
20 judgeships of this State; that in order to avoid the appearance of
21 partisanship by our judges it is imperative that State law declare all
22 judicial offices to be nonpartisan; and that this Act so provides and should
23 be given effect immediately in order to avoid even the appearance of
24 partisanship by judicial officers. Therefore, an emergency is hereby declared
25 to exist and this Act being immediately necessary for the preservation of the
26 public peace, health and safety shall be in full force and effect from and
27 after its passage and approval.

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30 /s/ M. Wilson

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