

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

# A Bill

**HOUSE BILL**

## **For An Act To Be Entitled**

8 "AN ACT TO PROVIDE THAT JUDICIAL OFFICES ARE NONPARTISAN  
9 AND THAT CANDIDATES FOR SUCH OFFICE SHALL FILE AS  
10 INDEPENDENTS; AND FOR OTHER PURPOSES."

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

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14 SECTION 1. All judicial offices in this State are hereby declared to be  
15 nonpartisan offices and candidates therefor shall file as independents under  
16 Arkansas Code 7-7-103 and all other laws applicable thereto. No person shall  
17 be elected to any judicial office without receiving a majority of the votes  
18 cast at the election. In any judicial election where no person received a  
19 majority of the votes cast, the two (2) candidates receiving the highest and  
20 next highest number of votes shall be certified to a special runoff election  
21 which shall be held two (2) weeks from the date on which the general election  
22 was held.

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24 SECTION 2. All provisions of this Act of a general and permanent nature  
25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
26 Revision Commission shall incorporate the same in the Code.

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28 SECTION 3. If any provision of this Act or the application thereof to  
29 any person or circumstance is held invalid, such invalidity shall not affect  
30 other provisions or applications of the Act which can be given effect without  
31 the invalid provision or application, and to this end the provisions of this  
32 Act are declared to be severable.

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34 SECTION 4. All laws and parts of laws in conflict with this Act are  
35 hereby repealed.

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SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that the citizens of this State expect people serving as judges to be totally objective and nonpartisan in exercising their judicial authority; that under current law political parties nominate candidates for the several judgeships of this State; that in order to avoid the appearance of partisanship by our judges it is imperative that State law declare all judicial offices to be nonpartisan; and that this Act so provides and should be given effect immediately in order to avoid even the appearance of partisanship by judicial officers. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

