

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representatives Wilson and von Grep**

A Bill

HOUSE BILL 1081

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."

Subtitle

13 "TO PROVIDE THAT JUDICIAL OFFICES ARE NONPARTISAN AND THAT
14 CANDIDATES FOR SUCH OFFICE SHALL FILE AS INDEPENDENTS."

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

18 SECTION 1. *The offices of Supreme Court Justice, Court of Appeals*
19 *Judge, circuit judge, chancery judge and circuit-chancery judge* are hereby
20 declared to be nonpartisan offices and candidates therefor shall file as
21 independents under Arkansas Code 7-7-103 and all other laws applicable
22 thereto. *Provided, however, that in lieu of filing petitions with the*
23 *appropriate number of signatures, the candidate may file as an independent by*
24 *tendering to the Secretary of State a filing fee in the amount of one thousand*
25 *dollars (\$1,000) which shall be deposited into the State Treasury as general*
26 *revenues. No person shall be elected to any judicial office without receiving*
27 *a majority of the votes cast at the election. In any judicial election where*
28 *no person received a majority of the votes cast, the two (2) candidates*
29 *receiving the highest and next highest number of votes shall be certified to a*
30 *special runoff election which shall be held two (2) weeks from the date on*
31 *which the general election was held.*

33 SECTION 2. All provisions of this act of a general and permanent nature
34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
35 Revision Commission shall incorporate the same in the Code.

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

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

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 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 necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/Mike Wilson, et al

