

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL

4 **By: Representatives J. Wilson and McGee**

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For An Act To Be Entitled

8 "AN ACT TO IMPOSE TERM LIMITATIONS ON ALL ELECTIVE AND
9 APPOINTIVE OFFICES WHICH ARE NOT OTHERWISE SUBJECT TO TERM
10 LIMITATIONS; TO DECLARE AN EMERGENCY; AND FOR OTHER
11 PURPOSES."

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Subtitle

14 "AN ACT TO IMPOSE TERM LIMITATIONS ON ALL ELECTIVE AND
15 APPOINTIVE OFFICES WHICH ARE NOT OTHERWISE SUBJECT TO TERM
16 LIMITATIONS."

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

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20 SECTION 1. (a) (1) For an elective office having a term of two (2) years,
21 no person shall be elected to the elective office for more than three (3) such
22 two (2) year terms.

23 (2) For an elective office having a term of four (4) years, no
24 person shall be elected to the elective office for more than two (2) such four
25 (4) year terms.

26 (3) For an elective office having a term of six (6) years, no
27 person shall be elected to the elective office for more than one (1) such six
28 (6) year term.

29 (4) For an elective office having a term of eight (8) years, no
30 person shall be elected to the elective office for more than one (1) such
31 eight (8) year term.

32 (b) This section shall be applied retroactively and cumulatively to any
33 person who is presently holding elective office or who has held elective
34 office and who seeks election or reelection to an affected office after the
35 effective date of this act, provided, however, that any person presently

1 holding an elective office and affected by this act may continue to serve in
2 that elective office until the end of the current term of office.

3 (c) This section shall not apply to any elective office for which the
4 Arkansas Constitution establishes the number of terms to which a person is
5 eligible to serve.

6 (d) "Elective office" means any office created by or under authority of
7 the laws of the State of Arkansas, or of a subdivision thereof, that is filled
8 by the voters. "Elective office" shall not include a federal office.

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10 SECTION 2. (a) Any person appointed to a board or commission of this
11 state, or any municipality or county in this state shall not be eligible to
12 serve for more than:

13 (1) Three (3) terms for an office having a term of less than four
14 (4) years;

15 (2) Two (2) terms for any office having a term of four (4) or more
16 years.

17 (b) This section shall not repeal any law limiting an appointee to
18 fewer terms of service than provided in this section nor shall it repeal any
19 law which prohibits reappointment of an appointee.

20 (c) This section shall not apply to the appointment of any person to a
21 board or commission where the terms are prescribed and regulated by a
22 provision of the Constitution of the State of Arkansas.

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24 SECTION 3. All provisions of this act of 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 4. If any provisions of this act or the application thereof to
29 any person or circumstance is held invalid, the invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provisions or application, and to this end the provisions of this
32 act are declared to be severable.

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

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SECTION 6. Emergency. It is hereby found and determined by the Seventy-Ninth General Assembly of the State of Arkansas that the citizens of the State of Arkansas have approved the Arkansas Term Limitation Amendment to limit the number of terms for the state's Executive Department, members of the Arkansas General Assembly, and the Congressional delegation; that further limitations are needed on the terms of all elected public officials and appointed officials of the State of Arkansas and its political subdivisions; and that these further limitations of terms will diminish the influence of an already entrenched incumbency at all levels of government and lead to greater citizen participation in the electoral system by involving more people in elective office and will lead to more voter participation, and a freer, more competitive electoral system. Therefore, in order to further the overall policy of term limitations approved by the citizenry of Arkansas, 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.

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