

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Flanagin**

A Bill

HOUSE BILL 1995

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 14-43-307 TO
9 AUTHORIZE CITIES IN TRANSITION TO MAYOR-COUNCIL FORM OF
10 GOVERNMENT TO PROVIDE BY ORDINANCE THAT ALL ALDERMEN BE
11 ELECTED BY WARD; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AUTHORIZE CITIES IN TRANSITION TO MAYOR-COUNCIL FORM
15 OF GOVERNMENT TO PROVIDE BY ORDINANCE THAT ALL ALDERMEN BE
16 ELECTED BY WARD."

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

20 SECTION 1. Arkansas Code Annotated §14-43-307 is amended to read as
21 follows:

22 "§14-43-307. Election of aldermen at large or by ward.

23 (a) (1) Candidates for the office of alderman in cities of the first
24 class shall reside in the ward from which they seek to be elected and shall
25 run at large.

26 (2) (A) All of the qualified electors of these cities shall be
27 entitled to vote in the election.

28 (B) (i) Provisions shall be made by the election
29 commissioners in these cities so that the qualified electors of each ward
30 shall have at least one (1) voting precinct in each ward where the resident
31 electors thereof may cast their ballot.

32 (ii) Cities of the second class that elect their
33 aldermen citywide may have one (1) public place only for holding elections.

34 (b) (1) (A) The city council of any such city or the governing body of
35 any city in transition to the mayor-council form of government is empowered

1 and authorized to provide, by ordinance, that all aldermen be elected by ward,
2 in which event each alderman shall be voted upon by the qualified electors of
3 the ward from which the person is a candidate.

4 (B) (i) When so provided by city ordinance, the name of the
5 candidate shall appear upon the ballot only in the ward in which he is a
6 candidate.

7 (ii) The city council of these cities may provide for
8 the election of one (1) alderman from each ward citywide and the other
9 aldermen from each ward by the voters of the ward only.

10 (2) All such cities choosing to elect all aldermen by wards or
11 part by wards shall provide, in the manner provided by law, for the
12 establishment of wards of substantially equal population in order that each
13 alderman elected from each ward shall represent substantially the same number
14 of people in the city."

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

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

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

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29 SECTION 5. EMERGENCY. *It is hereby found and determined by the General*
30 *Assembly that this act empowers cities in transition to the mayor-council form*
31 *of government to provide that all aldermen be elected by ward; that some*
32 *elections for aldermen are to be held in the near future; and that this act*
33 *should become effective as soon as possible in order to conduct elections in*
34 *accordance with this act. Therefore, an emergency is hereby declared to*
35 *exist, and this act being immediately necessary for the preservation of the*

1 public peace, health, and safety shall be in full force and effect from and
2 after its passage and approval.

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/s/Pat Flanagan

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