

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1504

4
5 By: Representatives J. Taylor, Bright, D. Evans, L. Evans, Ferguson, Mathis, Scrimshire
6 By: Senator Luker

For An Act To Be Entitled

10 AN ACT TO PROVIDE THAT THE MAYOR OF A CITY OR
11 TOWN IN ARKANSAS SHALL HAVE THE POWER TO APPOINT
12 AND REMOVE ALL DEPARTMENT HEADS OF THE CITY OR
13 TOWN; TO CLARFY THAT CIVIL SERVICE LAWS DO NOT
14 APPLY TO THE HEADS OF THE POLICE AND FIRE
15 DEPARTMENTS; AND FOR OTHER PURPOSES.

Subtitle

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18 TO PROVIDE THAT THE MAYOR OF A CITY OR
19 TOWN IN ARKANSAS SHALL APPOINT AND
20 REMOVE ALL DEPARTMENT HEADS OF THE CITY
21 OR TOWN.

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

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26 SECTION 1. Arkansas Code § 14-42-110 is amended to read as follows:

27 14-42-110. Appointment and removal of department heads.

28 (a)~~(1)~~ Mayors in cities of the first class and second class and
29 incorporated towns shall have the power to appoint and remove all department
30 heads, including city and town marshals when an ordinance has been passed
31 making city and town marshals appointed, unless the city or town council
32 shall, by a two-thirds (2/3) majority of the total membership of the council,
33 vote to override the mayor's action.

34 ~~(2) Provided, however, that in cities of the first class and~~
35 ~~second class with civil service commissions, the governing body of the city~~
36 ~~may, by ordinance, delegate the authority to appoint and remove the heads of~~



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1 ~~the police and fire departments to the city's civil service commission.~~

2 (b) City managers in cities having a city manager form of government
3 shall have the power to appoint and remove all department heads. In cities
4 with a city manager form of government and with civil service commissions,
5 the civil service commission shall have the power to override the city
6 manager's appointment or removal of the police or fire chief by a majority
7 vote of the total membership of the commission.

8 (c)(1) The provisions of this section shall not apply to department
9 heads not under the control of the governing body of the city and shall not
10 apply to cities having a city administrator form of government.

11 (2) However, the provisions of this section shall apply to the
12 heads of the police and fire departments in a city with a civil service
13 commission.

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15 SECTION 2. Arkansas Code § 14-51-102 is amended to read as follows:
16 14-51-102. Applicability.

17 (a) In addition to all other powers possessed by cities of the first
18 class, these cities may establish a board of civil service commissioners for
19 the police and fire departments of their cities.

20 (b) However, the provisions of this chapter shall not apply to the
21 appointment or removal of the heads of the police and fire departments in a
22 city that establishes a civil service commission under this chapter.

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